



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: Brooks, Carl  
DOC #: 259045  
FACILITY: Coyote Ridge Corrections Center (CRCC)  
DATE OF HEARING: March 23, 2022  
TYPE OF HEARING: Lt JuvBrd  
PANEL MEMBERS: Elyse Balmert and TaTeasha Davis  
FINAL DECISION DATE: April 4, 2022

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This matter came before the above-named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a release hearing in accordance with RCW 9.94A.730 (previously seen as a .100). In preparation for the hearing, the Board reviewed Mr. Brooks' ISRB file. Mr. Brooks appeared in person and declined to be represented by an attorney. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Aaron Jones and Mr. Brooks.

The sentencing Judge and Prosecutor both recommended Life at the time of sentencing.

**LAST BOARD DECISION:**

On November 13, 2018, the Board held a .100 hearing with Mr. Brooks. The Board issued a final decision, finding Mr. Brooks not parolable and added 60 months to his minimum term. The Board recommended that Mr. Brooks demonstrate consistent positive prison behavior and participate in available offense related programming, including Bridges to Life and Sex Offender Treatment and Assessment Program (SOTAP) when eligible.

**CURRENT BOARD DECISION:**

Based on the burden of proof set out in RCW 9.94A.730 and the totality of evidence and information provided to the Board, the Board does find by a preponderance of the evidence that Mr. Brooks is more likely than not to commit any new criminal law violations if released on conditions. Consequently, the Board finds Mr. Brooks not releasable. Mr. Brooks can re-submit a petition for a release hearing in sixty months.

**NEXT ACTION:**

Schedule .100 Hearing on the next available Docket.

**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, 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 9.94A.730 the Board finds Mr. Brooks is more likely than not to commit a new crime if released with conditions that are designed to help better prepare him for a successful re-entry into society. Mr. Brooks is determined to be not releasable based on the following:

- **Dr. Richel's psychological evaluation noted the following:**
  - **He refused to participate in the clinical interview. The impressions reported to Dr. Richel were that Mr. Brooks was cognitively capable but was paranoid and overly fixated on controlling details/words in the consent form. He left the meeting and called the State Patrol claiming the ISRB kidnapped him.**
  - **His psychological assessment and actuarial tools indicate an Integrative Final Risk Judgement – High Risk for Violence Related Recidivism.**
  - **Assessments PCL-R High, VRAG High, HCR2-v3 High, SAPROF Low.**
- **End of Sentence Review Committee (ESRC) Level 3 aggravated from Level 2 based on pattern of behavior that increases risk of offense, deviant sexual preoccupation, and acting out during incarceration.**

- **He has not completed any programming to mitigate his risk to the community, therefore making him more likely to commit another offense despite Conditions of release.**

**RECOMMENDATIONS:**

Mr. Brooks should continue with his positive behavior and access any programming available to him to mitigate his risk of sexually reoffending such as Sex Offender Treatment and Assessment Program (SOTAP).

**JURISDICTION:**

RCW 9.94A.730, enacted in 2014, allows offenders who were under the age of 18 when they committed their crime(s) and were sentenced as adults to petition the Board for consideration of early release consideration after serving no less than 20 years of total confinement. Mr. Brooks' petition resulted in the hearing on this date.

Carl Brooks is under the jurisdiction of the Board on a May 23, 1978 conviction in King County Cause #184744 for Kidnapping in the First-Degree count III. The time start is September 20, 1991. The minimum term was set at 25 years from a Sentencing Reform Act (SRA) range of 75 to 92 months. The statutory maximum term is Life. Mr. Brooks has served approximately 366 months in prison and 0 days of jail time to date.

**Note:** King County Cause #84744 is broken down into four separate offense blocks, all to be served consecutively. On May 19, 1978, Mr. Brooks began serving confinement on the first offense block comprised of: Count I – Robbery First Degree While Armed, Count V-Assault First While Armed, Count VI – Robbery in the First Degree While Armed, Count VII – Robbery in the First Degree While Armed, and Count VIII – Burglary in the First Degree While Armed. The minimum term on Counts I, V, and VI, were set at 20 years (240 months), 122 months on Count VII, and 95 months on Count VIII, to be served concurrently with each other. Mr. Brooks was “paroled” from these counts to begin serving on the current offense on September 20, 1991.

Count II, Rape in the First Degree will run consecutive to Count III. Count IV, Murder in the Second Degree will run consecutive to Count II.

**OFFENSE DESCRIPTION:**

File materials describe the underlying offenses as follows: Counts I, II and III - The victims of the Robbery in the First Degree were a woman and her 7-year-old son who were returning to their home after shopping. Mr. Brooks (age 17) and his crime partner (age 19) ordered the woman to drive around while he went through her purse, throwing the contents out the window. She was then ordered to drive them to a park where Mr. Brooks drug her from the car, raped her at gunpoint, and then drug her back to the car where his partner raped her. After forcing her to drive around, she and her son were placed on the floor in the back seat of the car and covered up with a coat. They were both finally put in the trunk and left. A passerby heard them yelling and opened the trunk.

Counts IV and V involved an older husband and wife returning home after an evening out. The man was a retired law enforcement officer who had a gun. After retrieving a coat from the car, he saw that Mr. Brooks had grabbed his wife and was holding a gun to her. Mr. Brooks opened fire and a gunfight ensued until both were out of ammunition. Mr. Brooks then fled the scene. During this time the man was shot in the chest, and his wife was killed. Later testing showed that it was bullets fired from the husband's gun that killed his wife. The records describe that Mr. Brooks was using the wife as a shield. The man was in critical condition for some time but lived. Count VI occurred January 29, 1978, only three hours after the previously described horrific shooting. Mr. Brooks and his crime partner carjacked a woman and forced her to drive them around, while trying to steal the transaction number for her bank card. Mr. Brooks stole her jewelry and \$4.00 she had in her purse and she was eventually let go.

Counts VII and VIII occurred on January 30, 1978, when a woman returned to her home to find Mr. Brooks in her residence. He held a gun to her head and demanded credit cards and

transaction numbers. He assaulted and kicked her in the head then tied her up with electrical cords. No crime partner was involved in this offense.

**PRIOR RISK RELATED/ CRIMINAL CONDUCT:**

Mr. Brooks' juvenile criminal history includes the following: Strong Armed Robbery in 1973, Larceny in 1974, Assault and loitering in 1975, Assault Third degree and Burglary in 1976 and Auto Theft in 1977. He was remanded from Juvenile to Adult Court for the current convictions.

**PROGRESS/BEHAVIOR:**

CC Jones programming (vocation/education and offender change). Mr. Brooks has asked to participate in reentry programs and has a referral for Thinking for Change but has yet to begin the courses. Mr. Brooks has incurred serious infractions, one positive, seven negative and five neutral behavior observations. CC Jones reports he is doing okay on the Unit. He is employed as a Unit Porter and receives favorable reviews from his supervisors.

Mr. Brooks agrees with the facts of his crimes although he reports he is challenging the sexual motivation part of his conviction with the State Supreme Court. He said that due to court action he is not willing to attend SOTAP. When describing his offense, he blamed his co-defendant and said he thought that they were only going to commit a robbery. Mr. Brooks believes that the co-defendant told the victim to perform oral sex on him. He says he was peer pressured into committing the crime. Mr. Brooks was asked why he was unwilling to participate in his psychological evaluation, and he denied being offered the opportunity despite Dr. Richel's report documenting to the contrary. He says he spends his days working on his legal items and working.

EB:nt

April 4, 2022

cc: CRCC  
File



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P.O. BOX 40907, OLYMPIA, WA 98504-0907

TO: Full Board

FROM: Elyse Balmert (Nadine)

RE: Brooks, Carl DOC # 259045

Panel recommends: Not Releasable. He may re-petition the Board in sixty (60) months.

Next action: Schedule .100 on next available Docket.

Agree	Disagree
Kecia Rongen 4-22-2022 Elyse Balmert 4-22-2022 TaTeasha Davis 4-22-2022 Lori Ramsdell-Gilkey 4-22-2022 Jeff Patnode 4-22-2022	