



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

DECISION AND REASONS

NAME: BRAXTON, Clarence
DOC #: 624421
FACILITY: Coyote Ridge Correctional Center (CRCC)
DATE OF HEARING: March 23, 2022
TYPE OF HEARING: .100
PANEL MEMBERS: TaTeasha Davis & Elyse Balmert
FINAL DECISION DATE: April 4, 2022

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 Braxton's ISRB file. Mr. Braxton appeared in person and waived his attorney representation. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Micah Turner.

The Prosecutor recommended 180 months. The Judge made no recommendation.

LAST BOARD DECISION:

At the January 18, 2017, .100 hearing, the Board found Mr. Braxton not parolable and added 90 months to his minimum term.

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. Braxton is not parolable and adds 48 months to his minimum term. The Board will consider seeing Mr. Braxton for an earlier

.100 hearing upon receipt of successful completion of Sex Offender Treatment Assessment Program and participation in a psychological evaluation.

NEXT ACTION:

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

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 9.95.100, the Board finds Mr. Braxton not parolable for the following reasons:

- **Mr. Braxton's risk assessment rate his overall risk as Moderate/High; PCL-R: Moderate; VRAG-R: Bin 9 of 9**
- **Mr. Braxton has not engaged in offender change programming to mitigate his risk of re-offense, i.e., Sex Offender Treatment and Assessment Program (SOTAP)**
- **He does not have a well-developed release plan, nor any community support**

RECOMMENDATIONS:

Mr. Braxton should be re-screened for and successfully participate in SOTAP. He should also remain serious infraction free and work on a comprehensive release plan. Mr. Braxton should participate in his next psychological evaluation.

JURISDICTION:

Clarence Braxton is under the jurisdiction of the Board on an October 19, 1976, conviction of Robbery, Count I and Rape in the Second Degree, Count II in King County Cause # 75321. The original time start is December 20, 1976. His initial duration of confinement was set by the Judge at 180 months. The standard range of the Sentencing Reform Act at the time was 77 to 102

months. His maximum term is Life. He has served approximately 130 months in prison and 0 days of jail time prior to his release.

Mr. Braxton released on November 4, 1987 and was revoked on January 14, 1988. The new MT was set at 12 months. Current time served on revocation is 410 months.

OFFENSE DESCRIPTION:

Mr. Braxton at age 26 with an accomplice, raped and robbed a known adult female.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

Burglary 2 4/5/1972

Robbery 2/27/1972

Grand Larceny 6/17/1968

Parole Violation 6/17/1968

PROGRESS/BEHAVIOR:

Mr. Braxton declined to participate and walked out of the January 2022 hearing. He also declined to participate in the June 2021 psychological evaluation. Mr. Braxton agrees to participate in the March 23, 2022, hearing.

CC Micah Turner provided testimony about Mr. Braxton's overall prison behavior and progress. He currently works as a library assistant. He has numerous certificates from Correctional Industries (CI) Making it Work and Thinking for a Change but hasn't completed any new programming since the last .100 hearing. He received his last serious infraction in 2007. He has received three positive, one negative, and two neutral behavioral observations. He's described as an "easy keeper" on the unit and gets positive reviews from staff and his supervisor.

Mr. Braxton has zero visitors and does not know if any friends or family members are still in King County or alive. He wants to release to King County with a housing voucher.

Mr. Braxton testified that he walked out of the last hearing because he felt like he was continuously being punished for his old crime. I explained that during the .100 hearings we can ask a wide range of questions, even about his crime committed 46 years ago. He stated he refused to participate in his psychological evaluation last year because he feels he's in a "no win situation no matter what the outcome." This Board member explained that when he refuses to participate in those evaluations, we only have old information to rely upon, thus impairing our ability to discern parolabilty.

When asked how he spends his time he stated he works, rests, and spends time with his friends. Mr. Braxton still admits to the commission of the offense. When asked why the Board should find that he meets the release standard he said he's a changed person because of old age, increased knowledge, and because he wants to spend the rest of his life being free.

Mr. Braxton has a history of refusing sex offender treatment. When asked why, he claimed he was not planning on committing a new offense in the community and because his crime happened so long ago, he questioned what the program could teach him. This Board member asked, "What if the thing that's standing in your way from being released to the community is your unwillingness?" Mr. Braxton did not affirm that he would engage in sex offender treatment; however, he did appear to consider it.

TD: NT

March 31, 2022

cc: CRCC
File



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

TO: Full Board

FROM: TD (NT)

RE: BRAXTON, Clarence DOC # 624421

Panel recommends: Not Parolable, add 48 months to MT.

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

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