



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

DECISION AND REASONS

NAME: GREEN, Michael
DOC #: 680340
FACILITY: Airway Heights Correctional Center (AHCC)
DATE OF HEARING: March 23, 2021
TYPE OF HEARING: .100
PANEL MEMBERS: Jeff Patnode & Lori Ramsdell-Gilkey
FINAL DECISION DATE: April 15, 2021

This matter came before the above-named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for his 14th .100 hearing in accordance with RCW 9.95.100. In preparation for the hearing, the Board reviewed Mr. Green's ISRB file. Michael Green was represented by attorney George Marlton. Classification Counselor (CC) Matthew Baker provided a summary of programming, behavior, and other relevant activities for Mr. Green. Mr. Green also participated in the hearing.

The hearing was held remotely with the Board Members in the ISRB office in Lacey, Washington, and Mr. Green and his counselor being at the AHCC facility in Airway Heights, Washington, and his attorney attended remotely as well.

- The King County Prosecutors Office, in a letter dated March 4, 2021, urged the Board to not release Mr. Green.

LAST BOARD DECISION:

Mr. Green was last seen by the Board on the February 23, 2016 .100 Hearing wherein the Board added 90 months to his minimum term. No specific recommendations were outlined in the

Decision. However, the Board noted the following on the last page of the Decision: “His refusal to address or even be willing to address his sexual deviancy after two fairly unsuccessful attempts at the program is concerning.”

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 does not find that Mr. Green is parolable and adds 60 months to his minimum term.

NEXT ACTION:

Schedule .100 hearing 120 days prior to his PERD and obtain an updated Psychological Evaluation. If Mr. Green completes any additional SOTAP programs the Board may grant him an earlier 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, 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. Green is not parolable.

- **As was the case during his last hearings, Mr. Green continues to lack insight into his offending behavior and still has not requested to participate in the Sex Offender Treatment and Assessment Program Aftercare. He indicated he does not believe he needs additional treatment.**
- **He has completed limited offender change programming to address his criminogenic needs.**
- **He has not managed his behavior and incurred nine serious infractions since his last Board hearing in 2016.**

- **In the most recent psychological evaluation completed November 9, 2020, Dr. Richel stated his feeling that Mr. Green represents a high risk for violent recidivism. He stated: “Without further treatment, and fundamental shifts in attitudes towards cooperating with sex offender treatment and management specialists, especially when combined with Mr. Green’s overall risk appraisal, this psychologist cannot confidently suggest that Mr. Green is a good candidate for management in a less restrictive environment.”**
- **Dr. Richel also noted in the November 2020 psychological evaluation that if the ISRB were to choose to release Mr. Green to a less restrictive environment, he would recommend Mr. Green be evaluated by an external forensic psychologist to establish whether or not he meets criteria for civil commitment under the 71.09 Sexual Violent Predator law.**
- **Mr. Green does not appear to be a fully rehabilitated and fit subject for release and has made little progress since his last Board hearing in 2016.**

RECOMMENDATIONS:

The Board would like to see Mr. Green participate in any programming available, to include the SOTAP program at any level assessed as eligible, which may provide him insight related to his criminogenic factors and reduce his risk to the community. Additionally, he needs to improve his behavior and refrain from behavior that results in serious infractions.

JURISDICTION:

Michael Green is under the jurisdiction of the Board on a January 19, 1977 conviction in King County Cause #78729 for Murder in the First Degree While Armed with a Deadly Weapon. The time start is January 19, 1977. The minimum term was set at 314 months from a Sentencing Reform Act (SRA) range of 234 to 314 months. The maximum term is Life. Mr. Green has served approximately 529 months in prison and 0 days of jail time to date.

INDEX OFFENSE DESCRIPTION:

According to file material, on September 28, 1976, at his age of 18, Michael Green killed an unknown 8-year-old girl. File materials indicate that on the morning of the murder Mr. Green

decided to rape and/or kill someone that day. He initially followed a woman for a while, but she entered a convenience store and he was afraid she was going to call the police on him. He continued walking and saw the victim in an alley and decided to rape her. The victim had a toddler with her who ran off to play and Mr. Green grabbed the victim from behind, lifting her up and putting one hand over her mouth. The victim screamed and Mr. Green pulled a knife from his waistband and stabbed her in the chest. He then carried her to an alcove area and removed her pants and underpants to rape her. He unzipped his pants but was then interrupted by a neighbor who had heard the victim scream. Mr. Green acted as if he were there to help the victim and directed to neighbor to go call for help. Mr. Green initially claimed a black male had attacked the victim and run off. He maintained this story through two trials and only after being found guilty a second time did, he admit he was the only assailant.

Mr. Green was originally sentenced to death for Aggravated Murder in the First Degree. When the State's capital punishment law was declared unconstitutional, he underwent a second trial and was found guilty of Murder in the First Degree and was sentenced to a maximum term of life.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

File material show several encounters with juvenile authorities starting in 1972 when he reportedly assaulted a female peer for teasing him. He was involved in prowling, shooting a rifle, possession of a knife on school grounds and window peeping. In June of 1974 he was charged with curfew violation and disorderly conduct. He was suspected of trying to pry a screen off a window and had a knife on him when this occurred. Mr. Green was charged again with prowling in December of 1974 and April of 1975 after police observed him looking into the windows of an apartment building late at night.

PROGRESS/BEHAVIOR:

CC Baker provided information regarding programming, behavior, employment, and community support for Mr. Green. The report was brief as Mr. Green has not completed any programs since

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his last hearing. CC Baker indicated Mr. Green does have nine serious infractions since his last hearing.

Mr. Green continues to have limited insight into his offense behavior. When asked about participation in SOTAP, he indicated he would if recommended by the Board but does not believe he needs it.

JP:ffo

March 30, 2021

cc: AHCC
Michael GREEN
File



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

TO: Full Board

FROM: Jeff Patnode (Fawn)

RE: GREEN, Michael DOC #680340

Panel recommends: Find Not Parolable and add 60 months to MT.

Next action: Schedule .100 hearing 120 days prior to his PERD and obtain an updated Psychological Evaluation. If any additional SOTAP programs are completed the Board may grant him an earlier hearing.

Agree	Disagree
Jeff Patnode 4-12-2021 Lori Ramsdell-Gilkey 4-12-2021 TaTeasha Davis 4-12-2021 Elyse Balmert 4-15-2021 Kecia Rongen 4-15-2021	