



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

DECISION AND REASONS

NAME: BEAVER, Jamar
DOC #: 819423
FACILITY: Stafford Creek Corrections Center (SCCC)
DATE OF HEARING: April 13, 2021
TYPE OF HEARING: LT JUVBRD
PANEL MEMBERS: Lori Ramsdell-Gilkey and Jeff Patnode
FINAL DECISION DATE: April 26, 2021

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. In preparation for the hearing, the Board reviewed Mr. Beaver's ISRB file. Classification Counselor (CC) Mark Kepler provided a summary of programming, behavior, and other relevant activities regarding Mr. Beaver. Mr. Beaver appeared in person via video conferencing and was represented by Attorney Brittany Ward.

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 not find by a preponderance of the evidence that Mr. Beaver is more likely than not to commit any new criminal law violations if released on conditions. Consequently, the Board finds Mr. Beaver releasable.

NEXT ACTION:

Submit an Offender Release Plan (ORP).

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 9.94A.730 the Board does not find Mr. Beaver is more likely than not to commit a new crime if released. Mr. Beaver is determined to be releasable based on the following:

- **Mr. Beaver has made positive efforts in prison, taken personal responsibility for his index offense, and completed several education/vocational and offender change programs.**
- **He has held long term prison employment and received extra ordinary reports from his supervisors.**
- **He has not had a serious infraction since 2015.**
- **Mr. Beaver verbalizes insight into the behaviors that resulted in his crimes and participated in programming that mitigates his risk in these areas.**
- **In his psychological evaluation from Dr. Robtoy dated December 1, 2020, he was determined to be a low/moderate for overall risk.**
- **In the December 2020 psychological evaluation, Dr. Robtoy opined “Mr. Beaver appears to have learned to manage the stresses of daily life reasonably well. At the time of this evaluation he did not appear to be a management problem, was employed, and had completed several programs/courses”.**

RECOMMENDATIONS:

Mr. Beaver should have controls related to substance use, refrain from associating with antisocial peers with gang affiliation, and have a chemical dependency (CD) evaluation and follow all treatment recommendations.

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. Beaver’s petition resulted in the hearing on this date.

Jamar Beaver is under the jurisdiction of the Board on a February 2, 2001 conviction in King County Cause #00-1-02680-0 for Attempt Robbery First Ct I; Assault First Ct II; Unlawful Possession of a Firearm First Ct III and Assault Second with a Deadly Weapon Ct VII. The time start is February 26, 2004. The minimum term was set at 101 months and 7 days including a 36 months Firearm Enhancement on Ct I, 238 months including a 60 months Firearm Enhancement on Ct II, 36 months on Ct III and 79 Months including a 36 month Firearm Enhancement on Ct VII from a Sentencing Reform Act (SRA) range of 65.25 months to 87 months on Ct I; 178 months to 236 months on Ct II, 36 months to 48 months on Ct III and 43 months to 57 months on Ct VII. The maximum term is 10 years on Ct I, III and VII and LIFE on Ct II. Mr. Beaver has served approximately 205 months in prison and 343 days of jail time to date.

Note: Other Causes/Counts: Mr. Beaver was sentenced to 2 years 11 months and 15 days on cause 98-8-04177-5- OTH with a start date of March 13, 2001.

Cause 00-1-02680-0 is CS to cause 98-8-04177-5 and has a start date of February 26, 2004. All enhancements run first, are CS and flat time. Base MT on Cts I-7 VII run CC with a start date of February 13, 2015.

OFFENSE DESCRIPTION:

Mr. Beaver (age 17) and co-defendant entered the International Jewelers, while a third co-defendant waited outside in a stolen vehicle. Mr. Beaver and the co-defendant entered the store with handguns and yelled at the occupants (including a three-year-old child) "Get your hands up, this is a robbery". Mr. Beaver and his co-defendant each went in separate directions while in the store. One of the employees, removed a handgun from his holster and attempted to hide behind a portion of the wall. Mr. Beaver began walking toward the victim and pointed his gun at him. As Mr. Beaver attempted to aim at the victim, he fired a shot which hit Mr. Beaver in the chest. The co-defendant jumped behind one of the counters in the store. The victim yelled at the co-defendant to put his hands up and throw out his gun. The co-defendant told the victim he was not armed, and that he could come and get him. Mr. Beaver began to

crawl toward the co-defendant. The victim followed him from behind the counter. The co-defendant then fired several shots at where the victim had been standing. Mr. Beaver went out of the glass door which had been shattered by gunfire, on his way through to the door he tripped over the three-year-old child who was crouched on the floor of the store. Mr. Beaver ran down the street for approximately 200 yards before collapsing in a parking lot. The co-defendant also exited the store through the shattered door, where he jumped in the car with the other co-defendant and then got into a high-speed chase with police. It should also be noted that one of the gunshots hit an occupied car outside of the store that was sitting at a traffic light.

It should be noted that at the time the PSI was written, 21 years ago, Mr. Beaver stated that he smoked “sherm” (dried formaldehyde/embalming fluid) to the point that he blacked out and didn’t remember anything until he woke up in Harborview from a gunshot wound. He further stated that he didn’t know the co-defendants and denied his offense.

Mr. Beaver currently admits to the offense.

PRIOR RISK RELATED/ CRIMINAL CONDUCT:

Mr. Beaver has a significant juvenile criminal history which include multiple felonies as detailed below:

June 15, 1998 Robbery First several counts- King County Cause # 98-8-04177-5 – 103-109 Weeks JRA- Mr. Beaver was involved in a carjacking where a weapon was used. He also removed personal items belonging to the victim.

October 2, 1997 Robbery First several counts- Thurston County Cause # 98-800567-9- 103 to 109 weeks JRA -According to Thurston County Sheriff’s report on October 2, 1997, Mr. Beaver was found in possession of a watch belonging to the victim. The victim reported that while in the parking lot of the Youth Service Center in Tumwater, Mr. Beaver attacked him and took his watch. Mr. Beaver put his hands over the victim’s head and choked him with his handcuffs. Mr. Beaver also hit him in the head with his fist several times. The victim of the incident

informed the JRA transportation officer. When the transportation officer confronted Mr. Beaver and asked him for the watch, Mr. Beaver removed it from his wrist and gave it to him.

July 22, 1997 Taking Motor Vehicle Without Owner's Permission King County Cause # 97-8-04334-6 – 8 to 12 weeks JRA

April 25, 1997- Assault 4- plead guilty couldn't find disposition.

June 25, 1996 Taking Motor Vehicle Without Owner's Permission and Malicious Mischief 3 King County Cause # 96-8-06573-2- two days detention and restitution.

March 23, 1996 Taking Motor Vehicle Without Owner's Permission King County Cause # 96-8-05527-3- six months community supervision and restitution.

March 19, 1996 Taking Motor Vehicle Without Owner's Permission King County Cause # 96-8-02091-7 – six months community supervision, 12 days detention.

The Pre-Sentence Investigation report indicates that Mr. Beaver noted he was first arrested at his age of 12 for riding in a stolen vehicle. It is also noted that Mr. Beaver's escaped from Maple Lane School about 11 months prior to him committing the instant offense and was on escape status at the time of the current offense.

PROGRESS/BEHAVIOR:

CC Kepler provided a summary of programming, behavior, and other relevant activities for Mr. Beaver. He indicated that since returning to prison Mr. Beaver has not been a management issue. CC Kepler provided summary information regarding infractions and behavioral observations. He did note the two serious infractions in the last ten years which appeared risk related, one from 2015 for Controlled Substance Paraphernalia and a fight in 2011 which was noted to be gang

related. CC Kepler indicated Mr. Beaver is married and his wife lives in Vancouver and his mother lives in Auburn Washington.

Mr. Beaver explained that the infraction from 2015 was related to spice and that he did possess the substance but never used the substance. He indicated he recognizes it was a very poor decision. He further explained that the fight in 2011 was not gang related but was an attempt to help a friend who was being assaulted.

Mr. Beaver acknowledged his responsibility for the murder as well as other offenses. He stated he was associating with antisocial peers and was making poor decisions. He also admitted to using substances on the day of the crime. His description of the crime was mostly consistent with file material. He also acknowledged and discussed other crimes he had committed as a juvenile. Mr. Beaver indicated he would like to release to his wife's home in Vancouver and has extensive work experience and training as a Powder Coater which he has obtained while in DOC custody.

Attorney Brittany Ward had previously submitted a brief to the Board detailing why Mr. Beaver should be released. In today's hearing, she reviewed Mr. Beavers performance in prison and implored the Board to find him releasable, and to see this case through a presumption of release standard lens.

JP:nt

April 13, 2021

cc: SCCC
Jamar Beaver
File
Brittany Ward



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TO: Full Board

FROM: Jeff Patnode (Nadine Tucker)

RE: Beaver, Jamar DOC #819423

Panel recommends: Releasable.

Next action: Submit an ORP.

Agree	Disagree
Jeffrey Patnode 4-26-2021 Lori Ramsdell-Gilkey 4-26-2021 Elyse Balmert 4-26-2021 TaTeasha Davis 4-26-2021 Kecia Rongen 4-26-2021	