



**Indeterminate Sentence Review Board
Decision and Reasons Summary**

Name: JOHNSON, Kimberly	DOC#: 903820	Case Type: PAR	Date: 4/30/2024
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Note: This is a summary of the Decision and Reasons dated 5/20/2024, and should not be substituted for the full document.

Decision:

Conditionally Parolable to an MRP. Add 36 months to Minimum Term.

Next Action: Schedule .100 hearing 120 days prior to her PERD. The Board request to be notified if Ms. Johnson receives any serious infractions.

Recommendations:

- **Substance Abuse Treatment, Follow Recommendations**
- **Continue with Mental Health Treatment**
- **Participate in available re-entry and/or step-down programming (possibly camp or other settings in DOC)**
- **Remain infraction free**
- **Develop a release plan and community support**



DECISION AND REASONS

NAME:	JOHNSON, Kimberly AKA Kenneth
DOC #:	903820
FACILITY:	Monroe Correctional Complex - Twin Rivers Unit
DATE OF HEARING:	April 30, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Jill Getty & Elyse Balmert
FINAL DECISION DATE:	May 20, 2024

I. DECISION/LEGAL STANDARD

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](#). This statute directs the Board to not release an individual unless in the Board's opinion his or her rehabilitation has been completed and he or she is a fit subject for release. Consequently, the Board finds Kimberly Johnson **conditionally parolable to a Mutual Reentry Plan (MRP) and add 36 months to minimum term.**

*Kimberly Johnson will be referred to as Ms. Johnson in this document as she prefers she/her pronouns.

Initially, the Prosecutor recommended Life and the Judge recommended no less than 25 actual years (1984). In June 1987 the decision was reversed and resentenced with the Judge setting the minimum term.

NEXT ACTION: Schedule .100 hearing 120 days prior to her PERD. The Board request to be notified if Ms. Johnson receives any serious infractions.

II. JURISDICTION

Kimberly Johnson is under the jurisdiction of the Board on a June 8, 1987 conviction in Clallam County Cause #6363 for Rape in the First Degree With Deadly Weapon Count I and Assault in the First Degree with Deadly Weapon Count II. The time start is November 28, 1984. The minimum term was set at 120 months for each count, concurrent from a Sentencing Reform Act (SRA) range of 93 to 123 months. The statutory maximum term is Life. Ms. Johnson has served approximately 473 months in prison and 888 days of jail time during the initial period of confinement.

III. LAST BOARD DECISION

Ms. Johnson last appeared before the Board in a .100 Hearing on June 7, 2023. At that time, she was found not parolable, and 18 months were added to her minimum term. The Board recommended that she participate in Substance Use Disorder (SUD) treatment, that she comply her mental health plan including medications, and that she develop a release plan with community support and resources.

IV. OFFENSE DESCRIPTION

Ms. Johnson, age 22, sexually assaulted an unknown, adult female in her mid-twenties. The victim had left a tavern and was hitchhiking. Ms. Johnson stopped and offered her a ride which she accepted. She told the victim that she knew where a party was and drove into a remote logging area. There, Ms. Johnson produced a knife and had the victim undress and sexually assaulted her at knifepoint. Ms. Johnson told the victim that she needed to make sure that the victim could not identify her or report the incident. She cut the victim's throat with the knife.

The victim laid on the ground pretending to be dead. She could see Ms. Johnson holding the knife in such a fashion that she believed she might plunge the knife into her vagina. At that point, the victim sat upright and began fighting Ms. Johnson in an attempt to get the knife. Ms. Johnson suddenly stopped the attack and fled in her car. The victim was able to flag down a logging truck to get help.

Ms. Johnson later turned herself into the Veteran's Hospital and admitted the offense. She was originally sentenced to the Sexual Psychopath Program at Western State Hospital. However, it was determined that Ms. Johnson was not amenable to treatment, and she was remanded back to Court for alternative sentencing.

It appears that Ms. Johnson was successful with later filing an appeal in the mid-1980's which led to a resentencing in 1987.

V. OTHER RISK RELATED BEHAVIOR

January 2, 1979 - Burglary. Salinas, California. Ms. Johnson saw a young woman around her apartment complex and asked her for a date. The woman declined. She then broke into her apartment while she was gone and stole \$5.00. She also wrote on her wall in lipstick "I will be back to get you," and "I will be back to kill you." Disposition: Placed on probation and ordered to complete chemical dependency treatment. Records indicate that Ms. Johnson left the program before completing it and was later arrested on a warrant on this case. As a result, she was remanded to another treatment program, which she left in July of 1980 when she fled to Washington State.

Additional Related Behavior:

Ms. Johnson has a long history of sexually acting out that has included rapes, stealing women's underwear to use while masturbating, peeping, prostitution, cross-dressing, and attending X-rated movies that involved themes of violence and rape. She had a history of sneaking into these movies as often as possible.

VI. EVIDENCE CONSIDERED

The Board considered the evidence presented at the hearing and reviewed **Kimberly Johnson's** ISRB file. The hearing was audio recorded and will be retained per retention schedules.

Testimony was provided by the following individuals: **Classification Counselor Amy Wesson, Psychology Associate Nakisha Rymer, and Kimberly Johnson.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: **Dated 3/25/15**
- Criminal case records: **J&S, Pre-Sentence Report dated 5/23/84**
- Psychological Evaluations: **Forensic Psychological Evaluation (FPE) dated 5/2/23; Psychological Evaluation dated 10/2/21**
- DOC Treatment and behavioral reports dated: **Sex Offense Treatment and Assessment Program (SOTAP) Transition Summary dated 5/19/21; Mental Health Encounter Report dated 2/8/24; Substance Use Disorder Assessment dated 10/15/19**
- Risk Assessments (Static, SOTIPS etc.):
 - **Static-99R** is an actuarial risk prediction instrument designed to estimate the probability of sexual and violent recidivism. It is the most widely used sex offender risk assessment instrument in the world.
 - **Static-2002R** is an empirically derived risk tool designed to evaluate the risk of sexual reconviction based on commonly available demographic and criminal history information.
 - **Stable-2007** is an empirically derived actuarial risk tool commonly used to assess treatment and supervision needs of sex offenders.
 - **Hare Psychopathy Checklist-REVISED (PCL-R)** indicates the extent to which the individual has psychopathic tendencies.
 - **HCR-20v3** is an instrument that organizes known risk factors into three categories: historical, clinical, and risk management. Using past, present, and future factors the HCR-20v3 assesses dynamic risk for recidivism.
 - **Violence Risk Assessment Guide-Revised (VRAG-R)** is a 12-item actuarial scale designed to predict violent recidivism.
- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R): **D&R dated 6/12/23**
- DOC OMNI Records
- Other:

VII. FINDINGS

1. In preparation for this hearing, Mr. Kimberly Johnson was advised of her hearing rights.
2. Kimberly Johnson appeared by video conference. She was represented by attorney Darrel Lahtinen.

3. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all identified by the End of Sentence Review Committee (ESRC), DOC psychological evaluations, and [RCW 9.94A.704](#). These conditions include, but are not limited to, the following:
 - DRUG / ALCOHOL RESTRICTIONS
 - ELECTRONIC MONITORING
 - MENTAL HEALTH TREATMENT COMPLIANCE
 - PARTICIPATION IN DRUG/ALCOHOL TREATMENT
 - PARTICIPATION IN SEX OFFENSE TREATMENT
 - PROHIBITED CONTACTS
 - SEXUALLY EXPLICIT MATERIAL
 - SUBMIT TO POLYGRAPHS
 - UNAPPROVED RELATIONSHIPS

4. The Board has considered the following evidence favorable to Kimberly Johnson’s release determination:
 - Treatment/Programming. **Involvement with mental health services/Building Better Boundaries and Alliances groups; scheduled to begin SUD treatment on 5/6/24; institutional employment; previously completed SOTAP in 2021.**
 - Protective factors. **No new serious infractions since 2012.**
 - Risk Assessment Scores. **2pts/Low-Mod Static99R; 3pts/Average Static 2002R; 17pts/PCL-R (below cut-off)**
 - Other evidence: **Release plan to the Journey Project.**

5. The Board has considered evidence against Kimberly Johnson’s conditional release ([WAC 381-60-160](#)), examples of adequate reasons for a finding of non-parolability include, but are not limited to:
 - Lack of participation in available program or resources designed to assist and offender to reduce the risk of re-offense (e.g., anger management, substance abuse treatment). **While she is scheduled to begin SUD treatment, she has not participated yet.**
 - Serious and repetitive disciplinary infractions during incarceration.
 - Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).

- Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole.
- Evidence that an inmate presents a substantial danger to the community if released.
- Other: **15pts/High Stable 2007; classified as a Level 3 for community notification; previously referred for FPE; relatively recent (summer 2023) mental health difficulty; limited community support.**

6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would sufficiently reduce the likelihood of Kimberly Johnson committing new offenses because:

- **The 2023 Forensic Psychological Evaluation (FPE) estimated Ms. Johnson to be a moderate risk for sexual re-offense, and the evaluator did not believe that Ms. Johnson met criteria as a Sexually Violent Predator pursuant to RCW 71.09.**
- **The 2021 Psychological Evaluation estimated Ms. Johnson’s risk for overall recidivism to be moderate and indicated that she may be a candidate for release to lower levels of custody.**
- **Ms. Johnson’s mental health stability has improved since her last hearing, and she also previously completed sex offense treatment.**
- **She has remained serious infraction free for several years.**
- **A MRP should afford Ms. Johnson the opportunity to successfully complete Substance Use Disorder treatment, continue to demonstrate mental health stability, and further develop community support and resources.**

7. Based on the requirements of [RCW 9.95.009\(3\)](#) and [RCW 9.95.100](#) and after weighing all of the totality of the evidence, including the community custody conditions and any favorable evidence noted above by the Board, the Board finds that Mr. Johnson is parolable.

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](#).

VIII. RECOMMENDATIONS

- **Substance Abuse Treatment, Follow Recommendations**
- **Continue with Mental Health Treatment**
- **Participate in available re-entry and/or step-down programming (possibly camp or other settings in DOC)**
- **Remain infraction free**
- **Develop a release plan and community support**

JG: vj

5/3/2024

cc: Facility: MCC-TRU
Kimberly Johnson, Incarcerated Individual
File



TO: Full Board

FROM: **JG** (vj)

RE: JOHNSON, Kimberly DOC # 903820

Panel recommends: **Conditionally Parolable to an MRP and add 36 months to Minimum Term.**

Next action: Schedule a .100 hearing 120 days prior to her PERD. The Board request to be notified if Ms. Johnson receives any serious infractions.

Agree	Disagree
Lori Ramsdell-Gilkey, 5.20.2024 Jeff Patnode, 5.20.2024 Jill Getty, 5.20.2024 Kecia Rongen 5.20.2024 Elyse Balmert, Not Present	