

INDETERMINATE SENTENCE REVIEW BOARD
BOARD MEETING
SUMMARY MINUTES

August 14, 2019

A regular meeting of the Indeterminate Sentence Review Board was held in the ISRB Office Building located at 4317 Sixth Avenue SE, Lacey, commencing at 9:00 a.m.

Present were:

Board Members:

Staff:

Kecia Rongen
Lori Ramsdell-Gilkey
Jeff Patnode
Elyse Balmert

Robin Riley, Executive Assistant

A. To the Table Case – Members had a full Board discussion of this ISRB case.

JUVBRD

- MCDONALD, Nicholaus
- DOC #747508
- Purpose: Full Board Discussion
- Date: August 14, 2019
- List of Documents Reviewed
 - ISRB File
- An updated prosecutor recommendation was not received.

- Mr. McDonald was seen for a release hearing on July 31, 2019 at the Airway Heights Corrections Center.

- **Summary Discussion**
Mr. Patnode presented this case.

Mr. McDonald is being seen by the Board for two convictions of Murder in Second Degree in Grays Harbor County Cause 95-1-00416-7.

A married couple was shot and fatally wounded by their teenage son who was Mr. McDonald's crime partner. Mr. McDonald entered the house after the shootings and discovered that the female victim was dead, but the male victim was still breathing. He shot the male victim and then drowned his crime partner's five year old brother in the bathtub. Mr. McDonald was 17 years of age at the time and is currently 38 years of age.

Mr. McDonald's overall risk is high to re-offend.

Mr. McDonald has had multiple infractions for dirty UA's with the last one occurring in 2017. He did complete Intensive Outpatient Treatment and used after he completed treatment. He takes little responsibility for his recent drug use.

Mr. McDonald has completed Redemption and Thinking for a Change and has completed his Associates of Arts Degree. He is not a behavior problem in the unit and receives good supervisor reports.

Mr. McDonald's version of the murder of the five year old boy does not match file material. He admits shooting the adult male victim in the head, but says he did not kill the five year old.

He does not want to return to Grays Harbor and would like to release to clean and sober housing.

- **Decision:**
The panel recommends he be found not releasable.
- **Reasons:**
- **Limited insight into risk factors.**
Mr. McDonald's does not appear to fully understand his criminogenic needs/risk factors and as such, has not addressed them with programing. His explanation regarding his part in the murders (denies drowning the boy or having any prior knowledge or planning for the murders) does not match file material. The discrepancy in his version of the murders in file material (including a confession) calls into questions his motivations, and associated risk and needs, for this crime.
- **Displays high risk behaviors.**
Mr. McDonald has committed numerous recent risk related infractions while in prison. In 2010 he committed 3 serious infractions; 1 for use of opiates, 1 for controlled substance paraphernalia (syringe), and one for refusing UA test. In 2012 he received another serious infraction for refusing a UA and in 2014 positive drug test for opiates. In 2016 he incurred three serious infractions related to tattooing (one of which was gang related), and a positive drug test in 2017 for Sub Oxone. His 2017 Drug use, following completion of CD treatment programming, indicates he is not applying what he has learned in treatment to his daily life.
- **Assessed as a high risk for recidivism at this time.**
In his recent psychological evaluation, prepared for this hearing by Dr. Robtoy (dated November 14, 2018), the evaluator indicates "Mr. McDonald is a High Risk for recidivism at this time". Dr. Robtoy further opines in her psychological assessment "it is difficult to offer recommendations for

treatment/management as Mr. McDonald does not feel he needs to change despite there being many risk factors present in his case. As a result, his ability/willingness to benefit from treatment is considered poor”.

- **Lacks a detailed release plan.**

Mr. McDonald has been in prison his entire adult life. He does not have a well detailed release plan that includes housing, employment, and community supports that tie together in a cohesive supportive structure.

- **Recommendations:**

- Consistent with the treatment recommendations in his psychological evaluation, Mr. McDonald should pursue additional chemical dependency treatment programming (possible the Champion Program, Therapeutic Community, at AHCC). He would also benefit from further programming to modify his criminogenic thought processes and behavior as well as developing a well thought out release plan. He could also benefit from vocational training offered at the Washington State Penitentiary.

- **Next Action:**

- Mr. McDonald can re-submit a petition for review in April 2021.

- **Vote:**

Jeff Patnode	Agree with recommendation
Kecia Rongen	Agree with recommendation
Lori Ramsdell-Gilkey	Agree with recommendation
Elyse Balmert	Agree with recommendation