



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

**DECISION AND REASONS**

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NAME: Roberts, Nathaniel  
DOC #: 791813  
FACILITY: Stafford Creek Corrections Center  
DATE OF HEARING: August 13, 2019  
TYPE OF HEARING: Lt JuvBrd  
PANEL MEMBERS: Lori Ramsdell-Gilkey and Jeff Patnode  
FINAL DECISION DATE: August 26, 2019

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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. Roberts's ISRB file. Mr. Roberts appeared in person. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Mike Andring.

A letter from the Spokane County Prosecutors office dated November 16, 2018 indicates opposition to any reduction in Mr. Robert's sentence due to the seriousness of the offense.

**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. Roberts is more likely than not to commit any new criminal law violations if released on conditions. Consequently, the Board finds Mr. Roberts releasable.

**NEXT ACTION:**

Submit an offender release plan (ORP) for consideration.

**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 9.94A.730 the Board finds Mr. Roberts is not more likely than not to commit a new crime if released with conditions that are designed to help better prepare him for a successful re-entry into society. Mr. Roberts is determined to be releasable based on the following:

- **Has completed risk related programming**
- **Has community support**
- **No violent infractions since 1999**
- **Psych report indicates Moderate overall risk for re-offense**

**RECOMMENDATIONS:**

Mr. Roberts will need to avoid antisocial persons in the community. He should focus on remaining clean and sober and securing full time employment to help support his new family.

**JURISDICTION:**

RCW 9.94A.730, enacted in 2014, allows offenders who were under the age of 18 when they committed their crime 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. Roberts's petition, resulted in the hearing on this date.

Nathaniel Roberts is under the jurisdiction of the Board on a January 29, 1999 conviction of Murder in the First Degree while armed with a deadly weapon in Spokane County under Cause # 98-1-01955-8. His time start is February 11, 1999. His minimum term was set at 344 months

from a Sentencing Reform Act (SRA) range of 271 months to 361 months. His maximum term is life. He has served approximately 245 months plus 179 days of jail time credit.

**OFFENSE DESCRIPTION:**

Mr. Roberts, at his age of 17, with a co-defendant, confronted a young man they believed had stolen money. Mr. Roberts took a baseball bat to the confrontation and hit the victim in the head several times which soon thereafter caused his death. The two assailants stole the victims money and bike as well.

**PRIOR RISK RELATED/ CRIMINAL CONDUCT:**

Nathaniel Roberts has numerous arrests/convictions as a juvenile, beginning with a Residential Burglary in 1994; Taking a Motor Vehicle in 1994; Escape in the Second Degree in 1994; Burglary in the 2<sup>nd</sup> Degree in 1995 and Taking a Motor Vehicle in 1995. Mr. Roberts stated that as a juvenile he began selling drugs in an effort to obtain money. He was released to the custody of his mother on electronic monitoring but skipped town resulting in the Escape charge.

**PROGRESS/BEHAVIOR:**

Classification Counselor (CC) Andring provided information regarding Mr. Roberts' progress in vocational, educational and offender change programming, as well as his overall behavior. He testified Mr. Roberts is not known to be a problem on the living unit. He follows rules and stays out of trouble. He has limited infraction behavior, the last serious infraction was in 2014 for being out of bounds. It appears the only violent infraction was back in 1999. He has completed a great deal of programming to include Chemical Dependency, Thinking for a Change, Breaking Barriers, and Anger Management and has received many certificates. He has completed college level classes and is close to receiving an AA degree. He is currently working as a Unit Porter. Regarding release, he would like to release to his wife of 7 years.

Mr. Roberts stated he met his wife prior to coming to prison. They reconnected in 2011 and married. She has 2 children of her own and they have one biological child in common. He stated she is employed as a phlebotomist. Mr. Roberts stated he has communication with his Dad who is now retired. He indicated his mother is in a shelter in Illinois and his sister is in Spokane.

Mr. Roberts provided a description of what was going on in his life at the time of his offense. His mother had moved to Florida and he chose not to move with her, nevertheless she took all of his belongings with her. He moved in with a friend's Aunt and she helped to provide for him. Mr. Roberts stated he was regularly smoking marijuana during this time period and he was high the date of the offense. Mr. Roberts and his codefendant were told that the victim had taken money from this woman. He felt an obligation to help get it back. They arranged to meet with the victim and while doing that, Mr. Roberts used a bat he had brought with him to strike the victim in the head. He hit him a second time and this caused the victim to fall to the ground. For no apparent reason Mr. Roberts then hit the man several more times. The victim died as a result of the injuries. After the assault, they stole the victim's wallet, fanny pack, and bike. Mr. Roberts and his codefendant were arrested within days.

Mr. Roberts has done well in prison. He acknowledged that due to his youth when he first came in he tried to act tough and did incur infractions. He stated that after being in segregation in 1999 he realized he needed to do something different. After a while he realized there was a group of men that appeared to have their lives together and who weren't getting into trouble. He found out they were Muslim. He decided to learn about this further and became a Muslim himself. Since then he has acknowledged the harm he caused, and accepted that he caused the death of a good man. He said he thinks of this man every single day. He began trying to better himself and remains an active Muslim today.

LRG: fo/is

August 19, 2019

August 27, 2019

cc: Institution

File



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

TO: Full Board

FROM: Lori Ramsdell-Gilkey (Fawn/Irene)

RE: ROBERTS, Nathaniel, DOC #791813

Panel recommends: Releasable

Next action: Submit Offender Release Plan (ORP).

Agree	Disagree
<b>Lori Ramsdell-Gilkey 8-26-2019</b> <b>Jeff Patnode 8-26-2019</b> <b>Elyse Balmert 8-26-2019</b> <b>Kecia Rongen 8-26-2019</b>	