



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

DECISION AND REASONS

NAME: ANDERSON, Michael
DOC #: 287309
FACILITY: CRCC
DATE OF HEARING: September 18, 2018
TYPE OF HEARING: Re-Determination Hearing
PANEL MEMBERS: Kecia Rongen & Elyse Balmert
FINAL DECISION DATE: October 8, 2018

This matter came before the above named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a Re-determination hearing. In preparation for the hearing, the Board reviewed Mr. Anderson's ISRB file. Mr. Anderson appeared in person and was represented by Attorney George Critchlow. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Joseph Goodman.

LAST BOARD DECISION:

At the March 20, 2018 hearing, the Board found Mr. Anderson parolable from Spokane County Cause #79-1-00490-2, Counts IV, VII, XII, XIV, XV to Counts V and VI effective June 14, 2018. The Board also determined that a Re-Determination hearing would be held for the last two counts.

CURRENT BOARD DECISION:

The Board re-determines the minimum term on Counts V and VI of Spokane county Cause 79-1-00490-2 to sixty (60) months each. These counts run concurrent to each other.

NEXT ACTION:

Schedule a .100 hearing 120 days prior to his ERD on Counts V and VI.

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 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. Anderson conditionally parolable for the following reasons:

- **No serious infractions since 2006, no violent infractions since 1991**
- **Has shown significant efforts towards rehabilitation to include work and helping other inmates**
- **Has served over 40 years in prison**
- **Significant social supports in the community**

RECOMMENDATIONS:

It is recommended Mr. Anderson be screened for the Sex Offender Treatment and Assessment Program (SOTAP), Thinking for a Change and participate in chemical dependency treatment. If appropriate, Mr. Anderson should give whatever other opportunities are available to him for step-down to include a camp setting.

JURISDICTION:

Michael Anderson is under the jurisdiction of the Board on multiple convictions in Benton and Spokane County. It should be noted that none of the actual offenses occurred in Spokane County, but due to a change of venue, the Franklin County cases were heard in Spokane County. He previously completed serving time on/was paroled from the Benton County cases as well as Count XI Robbery First Degree, Spokane County Cause #79-1-00490-2.

Mr. Anderson is currently serving time on Spokane County Cause #79-1-00490-2, Kidnapping in the First Degree, Counts XII, XIII, XIV and XV as well as Robbery in the First Degree, Count IV until

his Board set parole/transfer date of June 14, 2018. These Counts each have a 10 year minimum term and a max of Life. Mr. Anderson has served 84 months on these counts, with a time start of October 15, 2011 for a total of approximately 480 months (40 years) in prison. Remaining to serve is Counts V and VI of Spokane County Cause #79-1-00490-2, which are concurrent to each other but consecutive to Count IV above. Counts V and VI have 120 month minimum terms and a Life maximum.

OFFENSE DESCRIPTION:

Mr. Anderson is under the Board's jurisdiction for a series of robberies, rapes, assaults and kidnappings that occurred during a three month period. (This section was amended on April 27, 2018 to remove the description of an offense that Mr. Anderson was NOT convicted of but that was included in the original report dated April 2, 2018). On February 4, 1978 Mr. Anderson entered a Pasco motel and asked a female night clerk if he could see a room, then forced her into the room at gun point. After some scuffling he then took her to the main section of the motel at gun point. He then woke the managers and forced the male manager to open the safe and took a large amount of money.

Two days later, at another motel in Pasco, a woman was checking in late at night and moving luggage into her room when Mr. Anderson walked through the open door of her motel room. He threatened her with bodily harm and told her he had a gun and he would use it, that he had killed before and would kill again. He struck her, made her remove her clothing and raped her. He then went through her purse and took her cash and credit cards. Subsequently he was arrested following the robbery of a Safeway store in Pasco.

Approximately two months later Mr. Anderson escaped from the Franklin County Jail. The day after his escape he snuck into a home in Pasco and was hiding in the home when he was surprised by the victim, who returned home and discovered him hiding behind the door in the basement. She began to scream, at which time he grabbed her, knocked her down, kicked her, and pistol whipped her with a gun he had. Mr. Anderson also subdued the woman's three children, a

neighborhood friend, and finally the woman's husband, whom he also robbed at gunpoint. During this time he bound and gagged all of the victims except for the woman, held the gun to the children's heads and cocked the trigger repeatedly, threatening the children (ages 11, 12 and 14). Sometime during the night he then took the woman and, using the family vehicle traveled from Franklin County into Benton County and raped her, then he robbed a store in Kennewick where he kidnapped another person and fled with the two hostages to Seattle, where he was apprehended by a Seattle Police SWAT Team.

The last series of incidents, which occurred in Franklin County and are described above, were moved to Spokane County on a change of venue.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

Mr. Anderson's criminal history is very extensive and officially begins at age 16 when he was convicted for auto theft and was sent to a boy's home in Illinois. He escaped twice from this facility and was apprehended for at least one additional auto theft. From age 18 on, records indicate that he had at least 12 arrests in Illinois for crimes including criminal trespass, armed robbery, theft, unlawful use of weapons, battery, and escape. In 1974 he was convicted of Attempted Murder, Aggravated Battery, and Robbery and was sentenced to five years maximum in the penitentiary. Mr. Anderson admits shooting a man in the course of a robbery and that the victim almost died. He released from prison in Illinois in March of 1977 and travelled to Washington State several months later.

PROGRESS/BEHAVIOR:

Mr. Anderson was last seen by the Board in March of this year. He continues to program positively. He has received five positive Behavioral Observations since his last hearing. He continues to work in the Food Factory.

Mr. Anderson takes full responsibility for his crimes and shows remorse. He contributes his change to religion, however doesn't overtly say that unless asked. Some inmates use that as a

superficial way to show they have changed but that does not seem to be the case with Mr. Anderson. He describes how he has learned empathy over the years of taking care of other men, having jobs with responsibility and never stealing. He is also grateful for the support from his wife of over 40 years and children and grandchildren. He is willing to do whatever the Board asks of him in regards to programming.

Attorney George Critchlow represented Mr. Anderson when he was convicted of the original crimes. He believes Mr. Anderson has made significant change. He believes that he “walks the talk.” He emphasized the age of Mr. Anderson and the reduced risk factor related to aging. He would like Mr. Anderson to return to the community sooner, rather than later.

It is appropriate to reduce Mr. Anderson’s time on his last remaining counts so that he can get into offense specific treatment. He has shown extensive effort towards rehabilitation. The Board will see him one more time before fully releasing him to the community.

KR: ch

October 4, 2018

October 8, 2018

October 15, 2018

October 15, 2018

cc: Institution
Attorney
File



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P.O. BOX 40907, OLYMPIA, WA 98504-0907

TO: Full Board

FROM: KR & EB (CH)

RE: ANDERSON, Michael DOC #287309

Panel recommends: Re-determine the minimum term on Counts V and VI of Spokane County Cause 79-1-00490-2 to sixty (60) months each count.

Next action: Schedule .100 120 days prior to PERD.

Agree	Disagree
Elyse Balmert 10-8-2018 Lori Ramsdell-Gilkey 10-8-2018 Jeff Patnode 10-8-2018 Kecia Rongen 10-8-2018	