



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

DECISION AND REASONS

NAME: Robinson, Anton
DOC #: 772918
FACILITY: Monroe Correctional Complex WSR
DATE OF HEARING: October 16, 2018
TYPE OF HEARING: LT JUVBRD
PANEL MEMBERS: Elyse Balmert and Lori Ramsdell-Gilkey
FINAL DECISION DATE: November 5, 2018

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 or RCW 10.95.030. In preparation for the hearing, the Board reviewed Mr. Robinson's ISRB file. Mr. Robinson appeared in person. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Scott Leaf.

Current Chief Deputy Prosecuting Attorney Ione George's recommendation;

"In short, Mr. Robinson is a violent offender upon whom a lengthy sentence was imposed. His current behaviors reflect that he has not in any manner been rehabilitated, and he remains a high risk to reoffend. No logic supports the early release of this offender. As with his co-defendant, on behalf of the Office of the Kitsap County Prosecuting Attorney, and the citizens of Kitsap County, I vehemently advocate for the denial of any petition for the early release of Mr. Robinson to the community."

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 find by a preponderance of the evidence that Mr. Robinson is more likely than not to commit any new criminal law violations if released on conditions. Consequently, the Board finds Mr. Robinson not releasable. Mr. Robinson can release on his Earned Release Date (ERD) March 28, 2022 and he will not be under the Boards jurisdiction.

NEXT ACTION:

Release on Earned Release Date (ERD).

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. Robinson is 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. Robinson is determined to be not releasable based on the following:

- 56 Serious Infractions, last one 2016 positive for THC
- Overall Moderate/High risk from Dr. Robtoy, PsyD, and not a good candidate for release.
- Declined Sex Offender Treatment and Assessment Program (SOTAP)
- No chemical dependency treatment completed
- End of Sentence Review Committee recommended a Level II risk classification for community notification purposes
- Minimal programming completed

RECOMMENDATIONS:

Mr. Robinson should enter into and successfully complete SOTAP and chemical dependency treatment. He should also remain serious infraction free and take any offender change programs available to him. Mr. Robinson should use his time in prison to prepare himself for release.

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 early release consideration after serving no less than 20 years of total confinement. Mr. Robinson's petition, resulted in the hearing on this date.

Anton D. Robinson is under the Department of Corrections jurisdiction on a February 2, 1998 conviction in Kitsap County Cause 97-1-01131-9 for Assault in the Second Degree. The time start is June 16, 2017. The Term of Confinement was set at 65 months from an SRA range of 53 to 70 months, to be served consecutively with the sentence under #97-1-00667-1. Mr. Robinson has served 16 months confinement and 0 days of jail time on this cause. (Total time served in prison on both causes is 248 months. 200 days of jail time was applied to 97-1-00661-7 only).

Note: Other Causes/Counts: Mr. Robinson sentenced under Kitsap County Cause #97-1-00661-7 on December 17, 1997 on Rape in the First Degree Count I; Rape in the Second Degree Count II and Robbery in the First degree Count III; all counts included Firearm Enhancements. The time start was February 3, 1998. The Term of Confinement was set at 185 months from a Sentencing Reform Act (SRA) range of 159 to 211 months on Count I; 126 months from a range of 108 to 144 on Count II, and 89.5 months from a range of 77 to 102 months on Count III. The confinement terms on all counts ran concurrently. However, the 60 month enhancements on each count were to be served consecutively for a total confinement term under this cause of 365 months. Mr. Robinson completed his sentence on this cause on June 16, 2017, and began serving confinement on the current offense.

OFFENSE DESCRIPTION:

Assault Second Degree November 1, 1997, Mr. Robinson (age 17) while housed in the Kitsap County Correction Center and awaiting sentencing for the index sex offenses, stabbed another inmate in the neck with a sharpened toothbrush which created a cut or wound to the victim's neck.

July 12, 1997 Mr. Robinson (age 17) and a co-defendant held a sawed off shotgun to the female victim's head and forced her to perform oral sex on both of them as they took turns holding the gun to her head. Both perpetrators also sexually assaulted the victim by committing penile/vaginal and penile/oral rape at the same time. Mr. Robinson and his accomplice then forced the male victim at gun point to have oral sex with the female victim.

On the same day, at approximately 9:20 am, the two male perpetrators were in the back yard of another adult female brandishing a shotgun and demanding money. When her dog began to bark, they told the female it was only a joke and they left the scene. On July 13, 1997, at approximately 3:58 am Robinson and his accomplice forced their way into another residence demanding money from the male resident. They then allegedly shot the male in the abdomen and fled the scene. On this same date, Mr. Robinson and his accomplice approached a male, pointed guns at the victim and demanded money. Mr. Robinson and his co-defendant took the victim's jewelry, money, and shoes and then fled. Mr. Robinson was not charged for the shooting due in part to evidentiary insufficiency.

PRIOR RISK RELATED/ CRIMINAL CONDUCT:

Adult: 1998. Assault in the 2nd Degree; Juvenile: 1996, Assault in the 2nd Degree; Violation of the Uniform Controlled Substance Act; Minor in Possession of Alcohol; 1995, Robbery in the 2nd Degree.

PROGRESS/BEHAVIOR:

CC Leaf provided a summary of Mr. Robinson's programming (vocation/education and offender change). CC Leaf testified that Mr. Robinson has only been on his case load for a couple months and has had no issues since moving to Monroe Correctional Complex. He has completed T4C, A2A, Motivation Engagement, received a welding certificate and completed additional educational classes. He received a positive report from the T4C instructor. He is on the list for Alternatives to Violence which is part of his Pathway. If he adheres to the expectations of his Pathway he may get an earlier ERD.

In May of 2018 Mr. Robinson was put into segregation pending an investigation of introduction of drugs into the prison, but he was not infraacted and did not lose his level. Mr. Robinson has had 56 Serious Infractions with the last one on December 3, 2016 for Possession, Positive Drug/Alcohol Test (marijuana). The Static 99R scored Robinson in the Level II risk classification with +5 points. The End of Sentence Review Committee recommended a Level II risk classification for community notification purposes. Mr. Robinson was screened by the Department of Corrections SOTAP and was found non-amenable because he declined treatment. His last negative Behavioral Observation was back in January of 2018 for covering his window.

Mr. Robinson provided the following summary; He agrees with facts of crime but states the intent regarding the rape conviction was to exchange sex for drugs and was not a gang retaliation. During the time of his crimes he was high on "sherm", running the streets, had just gotten out of a juvenile facility and was in a gang. He said they went to the house to sell crack in exchange for sex, although neither he nor his co-defendant had any drugs. He and his co-defendant were both high, he set his gun on the table and ate some food. He said then "We did what we did with her." He was told by his aunt the next morning that he was accused of the crime against the victim. He said he did not recall the crime at that point because he was high. He said his behavior both in and out of prison was centered on his anger. He says the only way to give back to his victims is to live a "righteous" life. He says he was screened for chemical dependency treatment and was found to not need it. He no longer associates with the gangs and he is no longer a gang member.

He has a girlfriend which he has had for a couple of years. He has a 4 year old boy, this child was conceived in the visiting room at prison with his ex-girlfriend. He says he has a good relationship with his ex-girlfriend and his son. He believes that transitioning to a Camp or work release program would be beneficial to him prior to his release. He would like to release to Spokane and live with his girlfriend and her five year old daughter. He says he is a different person now than he was when he was 17 years old. When asked why he declined SOTAP he said he was in the hole and when the CC asked if he wanted to participate in treatment he replied “no”. He said he was angry for being in the hole and responded in the negative. Mr. Robinson states he is willing to participate in SOTAP, chemical dependency treatment and understands the impact of his crimes. He believes a step down process would be helpful for him prior to his release. He says he will access some friends he has in the Urban League for support once released.

EB: ts

October 16, 2018

November 5, 2018

November 6, 2018

November 9, 2018

November 13, 2018

cc: MCC-WSR
Anton Robinson
File



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TO: Full Board

FROM: Elyse Balmert (Teresa)

RE: Robinson, Anton DOC #772918

Panel recommends: Not Releasable, release on ERD – not under Board’s jurisdiction.

Next action: Release on ERD

Agree	Disagree
Elyse Balmert 11-5-2018 Lori Ramsdell-Gilkey 11-5-2018 Jeff Patnode 11-5-2018 Kecia Rongen 11-5-2018	