



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: POWERS, Albert  
DOC #: 286714  
FACILITY: Coyote Ridge Corrections Center (CRCC)  
DATE OF HEARING: November 14, 2018  
TYPE OF HEARING: .100  
PANEL MEMBERS: Jeff Patnode and Lori Ramsdell-Gilkey  
FINAL DECISION DATE: December 3, 2018

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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 .100 hearing in accordance with RCW 9.95.100. In preparation for the hearing, the Board reviewed Mr. Powers' ISRB file. Mr. Albert Powers attended in person and he refused legal representation. Classification Counselors (CC) Bronnie Tinsley provided a summary of programming, behavior and other relevant activities.

**Original Prosecutor Judge Recommendation:**

Life was recommended by the Judge and Prosecutor.

**Current Prosecutor/Judge Recommendation:**

No new recommendation received.

**PREVIOUS BOARD DECISION:**

Mr. Powers was last seen by the Board on October 8, 2013 for a .100 Hearing. The Board found Mr. Powers not parolable and added 90 months to his minimum term. The board encouraged Mr. Powers to program if his health allowed him to do so.

**CURRENT BOARD DECISION:**

Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and the totality of evidence and information considered by the Board, the Board finds that Mr. Powers is not parolable and adds 120 months to his minimum term.

**NEXT ACTION:**

Schedule .100 hearing 120 days prior to parole eligibility review date (PERD). An updated psychological evaluation will be needed for Mr. Powers' next .100 hearing.

**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. Powers not parolable for the following reasons:

- **Mr. Powers has incurred multiple serious infractions since his last hearing to include significant theft as well as an assault on another offender.**
- **Mr. Powers states he does not want to be released and that he would be willing to commit another crime to prevent release or to be returned to prison if he was in the community.**
- **In his most recent Psychological Evaluation on June 25, 2018, Dr. Robtoy** noted *“Mr. Powers’ scores on the present risk assessment measures place him in the High to High Moderate range to reoffend. While he is aging and appears to be physically very frail, which can be seen as protective factors from recidivism, his mental capacities remain sharp and unfortunately he possesses personality characteristics consistent with those found in psychopathic personalities. He did not appear to mask or minimize his criminal thought process during the present evaluation, and instead appeared to enjoy talking about his criminal history and various behaviors he continues to engage in. The issue remains his behavior continues to demonstrate his unwillingness to change or even follow simple rules if he does not agree with them”.*

**RECOMMENDATIONS:**

Mr. Powers should curtail his infraction behavior and manage his behavior appropriately. He has limited access to programming due to health reasons but should program as he is able.

**JURISDICTION:**

Albert Powers is under the jurisdiction of the Board on a November 24, 1982 conviction in Snohomish County Cause #82-1-00712-3 for Assault in the First Degree (Count I) and Robbery in the First Degree (Count II). A third conviction of Felon Owning or Possessing a Pistol, which was Count III, reached its maximum expiration date on September 1, 1996. The time start is November 24, 1982. The minimum term was set at 120 months on the Assault and 92 months on the Robbery from a Sentence Reform Act (SRA) range of 100-133 months and 75-92 months respectively. The maximum term is Life on each. Mr. Powers escaped in February 1990, was convicted of Robbery in California and sentenced to five years. He was returned to Washington custody in February 1994. Mr. Powers has served approximately 432 months in prison and 69 days of jail time.

**OFFENSE DESCRIPTION:**

In 1982 Mr. Powers robbed a grocery store at gunpoint, taking slightly in excess of two thousand dollars. Police were called and a track was established with a K-9. As the officer and dog were in a wooded area, Mr. Powers fired a number of times, striking the officer in the wrist and side. Mr. Powers was found half-buried some six hours later and taken into custody.

**PRIOR CRIMINAL / RISK RELATED CONDUCT:**

Mr. Powers was convicted in California in 1977 of Kidnapping With Use of Firearm and Burglary. He was paroled in 1981. While incarcerated on the index crimes, Mr. Powers escaped from the Washington State Penitentiary. He was found eight days later lying behind the prison hospital. He had apparently fallen from one of the buildings. In 1991, Mr. Powers escaped again, this time from McNeil Island Corrections Center Annex. He traveled to California where he was incarcerated for a new Robbery and was returned to Washington custody in 1994.

**PROGRESS/BEHAVIOR:**

CC Tinsley provided a summary of programming, behavior and other relevant activities for Mr. Powers. He reviewed Mr. Powers' infractions since his last hearing, the most notable included theft of many items and an assault on another offender. He stated Mr. Powers has no known community support and has expressed that he continues to be set on remaining in prison.

Mr. Powers stated that he continues to prefer to remain in prison, and if found releasable would leave "kicking and screaming". When asked what he would do if released, he indicated he would be willing to commit a new crime, though he stated he would not hurt anyone. He further stated he would simply wheel himself into a busy intersection in order to be arrested. Mr. Powers stated his life is better in prison than if he was in the community.

JP: ch

November 28, 2018

December 5, 2018

December 5, 2018

December 3, 2018

December 11, 2018

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: Jeff Patnode (Christine)

RE: POWERS, Albert DOC #286714

Panel recommends: Not Parolable and adds 120 months to his minimum term.

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

Agree	Disagree
<b>Jeff Patnode 12-3-2018</b> <b>Lori Ramsdell-Gilkey 12-3-2018</b> <b>Elyse Balmert 12-3-2018</b> <b>Kecia Rongen 12-3-2018</b>	