



**Indeterminate Sentence Review Board
Decision and Reasons Summary**

Name: Johnson, Gregory	DOC#: 626233	Case Type: PAR	Date: 11/26/2024
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Note: This is a summary of the Decision and Reasons dated 12/9/2024, and should not be substituted for the full document.

Decision:

Not Parolable. Add 12 months to Minimum Term.

Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD. A new Psychological Evaluation will be needed for the next Hearing.

Recommendations:

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
- **Develop a release plan/community support**



DECISION AND REASONS

NAME:	JOHNSON, Gregory
DOC #:	626233
FACILITY:	Coyote Ridge Corrections Center
DATE OF HEARING:	November 26, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Elyse Balmert & Jeff Patnode
FINAL DECISION DATE:	December 9, 2024

I. DECISION/LEGAL STANDARD

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. This statute directs the Board to not release an individual unless in the Board’s opinion his or her rehabilitation has been completed and he or she is a fit subject for release. Consequently, the Board finds Gregory Johnson **not parolable** and adds 12 months to the minimum term.

The Judge and Prosecutor’s recommendation was 298 months.

NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD. A new psychological evaluation will be needed for the next hearing.

II. JURISDICTION

Gregory Johnson is under the jurisdiction of the Board on a March 23, 2012 conviction in Snohomish County Cause #11-1-01227-0 for Second Degree Murder While Armed with a Firearm. The time start is March 23, 2012. The minimum term was set at 298 months from a Sentencing Reform Act (SRA) range of 298 to 397 months. The statutory maximum term is Life.

Mr. Johnson has served approximately 152 months in prison and 336 days of jail time during the initial period of confinement.

III. LAST BOARD DECISION

This is Mr. Johnson's first Hearing.

IV. OFFENSE DESCRIPTION

On October 22, 1979, Susan Schwarz was murdered at her home. She was found around 4:00pm that day by her boyfriend, who had come home from work. Ms. Schwarz had been shot in the head numerous times. It appeared as though someone had taken some items of personal property from the home. Police investigated the murder case initially but did not develop probable cause for any particular suspect. The case lay dormant until Detectives from the Sheriff's Office Cold Case squad began to investigate the case again. In 2011, the Detectives received word through the Department of Corrections that the defendant's brother, who was in prison, wanted to talk to them. The brother told police he saw a deck of cold case cards, which the Sheriff's Office distributes in prisons. The deck lists pictures and very brief descriptions of unsolved homicide cases. The brother told his counselor that he recognized one of the cards and knew something about the woman. The card he saw was about Sue Schwarz but gave no particular details of the crime. In April 2011, the Detectives visited the defendant's brother in prison and took a statement from him. He told them that he was fishing at the Edmonds Pier one day when the defendant drove up with his girlfriend, hereinafter referred to as M. The defendant told him that if police asked, he wanted him to say that the defendant had been fishing with him at the pier that day. When asked why, the defendant told him it was because he had killed Sue. The defendant told his brother certain details of the crime.

V. OTHER RISK RELATED BEHAVIOR

05/85 Incest 1st Degree (King County #84-1-01884-1). According to available file material, on or about 05-01-84, Johnson (age 29) sexually assaulted a 14-year-old foster-sister at a Seattle park.

Johnson pled guilty to this offense on October 22, 1984. On May 7, 1985, he received a 10-year suspended sentence, one year in jail and one year of probation. According to DOC file material, his probation was terminated on January 10, 1992.

According to file material, it was alleged that on or about December 11, 1984, Johnson and his stepbrother were involved in the rape of a 14-year-old female hitchhiker. The victim was picked up in the early morning hours and instead of taking her home, Johnson and his stepbrother drove her to a remote location and sexually assaulted her. The victim reported that both Johnson and his stepbrother threatened her with assault if she did not comply. There is information indicating that Johnson was arrested for suspicion of rape regarding this matter, but it does not appear that formal charges were filed.

Adult Felony. 04/02 VUCSA----Conspiracy to Deliver Cocaine (King Co #02-1-00557-4 SEA; 10/01 VUCSA-Possession of Cocaine (King Co #01-1-02299-3), 10/00 VUCSA - Possession of Cocaine (King Co #00-1-10000-7), 11/88 Burglary 2nd Degree (King Co #88-1-04754-1) ,08/85 Robbery, 2nd Degree, 3 Counts (King Co #84-1-03606-7). 02/80 Possession of Stolen Property 2nd Degree (King Co. #79-1-01799-6), 12/79 Robbery 1st Degree WAWADW (King Co. #79-1-00963-2).

File material indicates that Johnson first came to the attention of the juvenile court at age 10. He has been adjudicated for numerous offenses as a juvenile to include burglaries, larceny, thefts, delinquency, shoplifting and running away It is also noted he was involved in throwing a firebomb into a building. It appears he was in and out of group homes and institutions throughout his juvenile history. Misdemeanor 07/01 Theft, 11/00 Theft 3rd Degree.

VI. EVIDENCE CONSIDERED

The Board considered the evidence presented at the hearing and reviewed **Gregory Johnson's** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor Kelly Hodgson, and Gregory Johnson.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: **Dated 12/4/2002**
- Criminal case records: **3/23/2012**
- Psychological Evaluations: **Psychological Evaluation by Dr. Lisa Robtoy 7/5/2024 and Mental Health Plan 10/2/2024**
- DOC Treatment and behavioral reports dated:
- Assessments:
 - ***Hare Psychopathy Checklist-REVISED (PCL-R)*** indicates the extent to which the individual has psychopathic tendencies.
 - ***HCR-20v3*** is an instrument that organizes known risk factors into three categories: historical, clinical, and risk management. Using past, present, and future factors the HCR-20v3 assesses dynamic risk for recidivism.
 - ***Violence Risk Assessment Guide-Revised (VRAG-R)*** is a 12-item actuarial scale designed to predict violent recidivism.
 - ***Washington State Sex Offender Risk Level Classification Screening Tool (WSSORLC)*** places sex offenders into one of three notification levels by combining a risk assessment score and a notification considerations score.
 - ***Rapid Risk Assessment for Sex Offender Recidivism (RRASOR)*** is an actuarial scale designed to assess different levels of risk of sexual recidivism for convicted sexual offenders.
- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R):
- DOC OMNI Records
- Other:

VII. FINDINGS

1. In preparation for this hearing, Mr. Gregory Johnson was advised of his hearing rights.
2. Gregory Johnson appeared by video conference. Gregory Johnson was represented by attorney Darrel Lahtinen.
3. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all identified by the End of Sentence Review Committee (ESRC), DOC psychological evaluations, and RCW 9.94A.704. These conditions include, but are not limited to, the following:

- DRUG / ALCOHOL RESTRICTIONS
- ELECTRONIC MONITORING
- GEOGRAPHIC RESTRICTIONS
- MENTAL HEALTH TREATMENT COMPLIANCE
- PARTICIPATION IN DRUG/ALCOHOL TREATMENT
- PARTICIPATION IN SEX OFFENSE TREATMENT
- PROHIBITED CONTACTS
- SEXUALLY EXPLICIT MATERIAL
- SUBMIT TO POLYGRAPHS
- UNAPPROVED RELATIONSHIPS

4. The Board has considered the following evidence favorable to Gregory Johnson's release determination:

- Treatment/Programming. **Standardized Stress/Anger Management, and numerous educational/vocational courses. He has received his AA Degree.**
- Protective factors. **He has held employment in the institution and has community support.**
- Risk Assessment Scores. **RLC Low, HCR-20v3 Future Violence-Moderate, Serious Physical Harm-Low Moderate.**
- Other evidence: **Family support and resources available in the community**

5. The Board has considered evidence against Gregory Johnson's conditional release (WAC 381-60-160), examples of adequate reasons for a finding of non-parolability include, but are not limited to:

- Active refusal to participate in available program or resources designed to assist and offender to reduce the risk of re-offense (e.g., anger management, substance abuse treatment). **He has not completed Substance Use Disorder (SUD) treatment or any offender change programs. Mr. Johnson has a prior conviction for a sex offense and another alleged sexual assault, and he has not completed the SOTAP. He was asked if he thought he needs sex offense treatment and he said he would do the SOTAP if required by the Board.**
- Serious and repetitive disciplinary infractions during incarceration. **Three Serious Infractions; Giving Anything of Value over \$10 (2013) and Fight X 2 (2015 & 2024).**
- Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).
- Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole.
- Evidence that an inmate presents a substantial danger to the community if released.
- Risk Assessment Scores. **VRAG 9 of 9, PCL-R 27 High Range of Psychopathy**

6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would not sufficiently reduce the likelihood of Gregory Johnson committing new offenses because:
- **He shows no insight in the circumstances that has resulted in his convictions and description of the murder does not match file material. He has done little to mitigate his risk.**
 - **He has a sex offense conviction and additional allegation that has not been addressed with offender change programs to mitigate his risk.**
 - **Mr. Johnson has not participated in Substance Use Disorder (SUD) treatment, and he has an extensive history of substance use to include serving a prior prison term related to drug convictions and this area of concern has yet to be addressed.**
 - **He has not managed his behavior in a prison setting, calling into question his ability to be responsive to supervision in the community. He has incurred three Serious Infractions including a recent (11/2024) Fight.**
 - **It is unlikely at this time that conditions of release would sufficiently reduce the risk of re-offense therefore he is found to not be fully rehabilitated and a fit subject for release.**
7. Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and after weighing all of the totality of the evidence, including the community custody conditions and any favorable evidence noted above by the Board, the Board finds that Mr. Johnson is not parolable and adds 12 months to his minimum term.

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 9.95.100.

VIII. RECOMMENDATIONS

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
- **Develop a release plan/community support**

EB: ch

11/26/2024

cc: Facility: CRCC
Gregory Johnson, Incarcerated Individual
File



TO: Full Board

FROM: EB (ch)

RE: JOHNSON, Gregory DOC # 626233

Panel recommends: Not Parolable; and adds 12 months to the minimum term.

Next action: Schedule a .100 Hearing approximately 120 days prior to PERD. A new psychological evaluation will be needed for the next hearing.

Agree	Disagree
Jeff Patnode, 12.9.2024 Jill Getty, 12.9.2024 Corey McNally, 12.9.2024 Kecia Rongen, 12.9.2024	

Elyse Balmert, Not Present