



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

DECISION AND REASONS

NAME: LOVRICK, Michael
DOC #: 267696
FACILITY: Stafford Creek Corrections Center – SCCC
DATE OF HEARING: May 15, 2018
TYPE OF HEARING: .100
PANEL MEMBERS: Jeff Patnode and Lori Ramsdell-Gilkey
FINAL DECISION DATE: June 4, 2018 AMENDED

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. Lovrick's ISRB file. Mr. Lovrick appeared in person and was represented by attorney Jennifer Smith. Testimony was provided by Department of Corrections (DOC) Classification Counselors (CC) Shane Revel and Robert Aleksinski.

LAST BOARD DECISION:

Mr. Lovrick was last seen by the Board at an In Person Administrative Progress Hearing in 2008. The Board determined that no action be taken and no change be made to the time structure.

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, the Board finds Mr. Lovrick parolable from Count I to Count II of Pierce County Cause 82-1-02342-8 on April 28, 2018. The Board then finds him conditionally parolable on Count II to a mutual re-entry plan.

NEXT ACTION:

Submit mutual re-entry plan on Count II. Schedule .100 Hearing 120 days prior to his PERD.

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 9.95.100, the Board finds Mr. Lovrick conditionally parolable for the following reasons:

- Mr. Lovrick has completed a number of offender change programs to address his criminogenic needs.
- He takes full responsibility for his crime and appears to have some understanding of the impact of his murder conviction.
- Mr. Lovrick demonstrates insight into his offense behaviors and factors that led up to his offense. He has strong community resources and a very good transition plan, appearing to be committed to making reparations by “giving back” to society.
- His most recent psychological assessment (October 25, 2017) is favorable in assessing him for movement to lower levels of custody and states he appears to be a reasonable candidate for transition to a less restrictive setting. Dr. Wentworth further notes that Mr. Lovrick committed his offense within days of his 19th birthday, and that “Research is clear that his neurological and biological mechanisms would have underdeveloped; and would have been inadequate at a time that he would be more susceptible to negative outside circumstances and pressures”. Dr. Wentworth further notes that in addition to transition he may do well with a cognitive behavioral group such as Thinking for a Change or Getting it Right, and could do this group in custody or out.

Recommendations:

Mr. Lovrick should transition through a camp setting and will not likely be eligible for work release, though the Board would like to see him in a work release program if it is possible.

Additionally, as recommended by Dr. Wentworth, the Board would like to see Mr. Lovrick participate in T4C, possibly while in a camp setting and any other re-entry programming that will provide Mr. Lovrick with the skills he will need to utilize outside of prison.

JURISDICTION:

Michael Lovrick is under the jurisdiction of the Board on a July 19, 1983 conviction in Pierce County, Cause # 82-1-02342-8 for Murder in the First Degree. The time start is July 19, 1983. The minimum term was set at 626 months at a *Duration of Confinement Hearing, aggravated up* from a Sentencing Reform Act (SRA) range of 261 to 347 months. The maximum term is Life. Mr. Lovrick has served approximately 416 months in prison and 0 days of jail time.

Note: Other Causes/Counts: Mr. Lovrick is also under the jurisdiction of the Board under the same cause for a *consecutive* count: Count II- Manslaughter in the First Degree. The minimum term was set at 42 months at the Duration of Confinement Hearing from a Sentence Reform Act range of 41-54 months, with a maximum of 10 years.

OFFENSE DESCRIPTION:

Mr. Lovrick murdered a young co-worker and her unborn baby during a botched burglary attempt at the Safeway store where they both worked. There were a large number of defensive wounds on the victim; it appears that the attack was lengthy and that the victim did not stop fighting until Mr. Lovrick stabbed her visibly pregnant stomach.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

There is no record of prior criminal conduct for Mr. Lovrick.

PROGRESS/BEHAVIOR SINCE LAST HEARING:

Mr. Lovrick has only had three total serious infractions with the last being in 1997 for tampering with a lock. He has completed an impressive list of offender change programs, most notably Redemption/Re-entry Skills, Roots of Success, Alternatives to Violence, Choices and

Consequences, Stress Anger Management, and has a current referral to Chemical Dependency treatment.

INFORMATION CONSIDERED:

CC Revel provided a summary of programming, behavior, and other relevant activities (see above) for Mr. Lovrick. He indicated that he has worked as Mr. Lovrick's counselor for the last six years. He stated that Mr. Lovrick has never been a management issue in any way and always receives favorable reports from custody staff, program staff, and community persons.

CC Aleksinski provided testimony regarding his time working with Mr. Lovrick. He said that Mr. Lovrick did outstanding work in the Redemption program as well as in his religious activities, which Mr. Aleksinski has personally witnessed as a volunteer chaplain.

Mr. Lovrick's attorney addressed the Board and asked that a point of recognition for Mr. Lovrick must be his age at the time of his offense and what we now know regarding adolescent brain development and decision making. She requested, consistent with drivers for the "Miller Fix", that the Board consider his age as a mitigating factor. She further stated that Mr. Lovrick has gone above and beyond what would typically be described as a "model inmate", to include his programming and volunteer work and the fact that he has remarkable support in the community.

Mr. Lovrick provided a description that matched file material. He could articulate the circumstances in his life at the time, his thinking, and most importantly, what he has learned that will ensure he never hurts another person. He appeared very remorseful at times and was articulate and humble in describing his horrific crime as well as the programs he has taken and what he has learned that has prepared him to live outside of prison.

Prosecutors Recommendations:

The original recommendation from both the Judge and Prosecuting Attorney was for Life on Count I, 10 years on Count II, that they run consecutive, and that Mr. Lovrick not be given parole.

There is no current recommendation from the prosecutor.

JP:ffo

May 18, 2018

June 4, 2018

June 6, 2018

cc: SCCC
Michael LOVRICK
Jennifer Smith, Attorney
File



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INDETERMINATE SENTENCE REVIEW BOARD
P.O. BOX 40907, OLYMPIA, WA 98504-0907

TO: Full Board

FROM: Jeff Patnode and Lori Ramsdell-Gilkey (Fawn Opp)

RE: LOVRICK, Michael DOC #267696

Panel recommends: The Board finds Mr. Lovrick parolable from Count I to Count II of Pierce County Cause 82-1-02342-8 on April 28, 2020.

The Board finds him conditionally parolable to a mutual re-entry plan on Count II. Conditionally parolable to a MRP.

Next action: Schedule a .100 hearing 120 days prior to his PERD.

Agree	Disagree
Jeff Patnode 6-4-2018 Lori Ramsdell-Gilkey 6-4-2018 Elyse Balmert 6-4-2018 Kecia Rongen 6-4-2018	