



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

DECISION AND REASONS

NAME: HARIG, David
DOC #: 247957
FACILITY: Coyote Ridge Corrections Center (CRCC)
DATE OF HEARING: May 22, 2018
TYPE OF HEARING: .100
PANEL MEMBERS: Jeff Patnode and Kecia Rongen
FINAL DECISION DATE: June 11, 2018

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. Harig's ISRB file. Mr. Harig appeared in person and was represented by attorney Jason Couey. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Jennifer Anason.

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. Harig is conditionally parolable. He should transition through a camp setting, preferably at CRCC, as he is not eligible for work release or a MRP. The Board adds no time to his minimum term.

NEXT ACTION:

Schedule a .100 hearing 120 days prior to 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. Harig conditionally parolable for the following reasons:

- Mr. Harig has an index offense date of July 1975.
- He completed 32 years in prison in another state and completed 3 years of community supervision without a violation. He also has a home, a fiancée, and work history in South Carolina where he served his 3 years of supervision.
- Has completed a number of offender change programs.
- Takes full responsibility for his crime and appears to have an understanding of the impact of his Vehicular Homicide as well as a murder in another state.
- Mr. Harig demonstrates insight into his offense behaviors and factors that lead 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 (December 7, 2017) indicates he is a low to low/moderate risk to reoffend.

Recommendations:

Mr. Harig should transition through a camp setting, preferably at CRCC, as he is not eligible for work release or a MRP. The camp at CRCC would be a particularly good match as he has ties to medical providers in the area that will be helpful during his transition. He should participate in any Chemical Dependency treatment available to him prior to release to supervision and other reentry programming that will provide him with the skills he will need to utilize outside of prison.

JURISDICTION:

David Harig is under the jurisdiction of the Board on a January 19, 1976 conviction in Pierce County Cause #47958 for Vehicular Homicide. The time start is May 17, 2016. The minimum term

was set at 78 months from a Sentencing Reform Act (SRA) range of 78 to 102 months. The maximum term is 120 months. Mr. Harig has served approximately 24 months in prison and 258 days of jail time.

Original Judge and Prosecutor Recommendation, No current recommendation:

Mr. Harig was originally a deferred sentence. However, he absconded out of state, where he committed another offense and spent 32 years in custody, did 3 years on parole out of state before he was returned to Washington State to complete this sentence, which was revoked.

OFFENSE DESCRIPTION:

Mr. Harig and a younger friend were driving to a party of the 4th of July in 1975. He reported that the two of them had ingested several alcoholic beverages and were intoxicated. Mr. Harig reports that he was driving fast and irresponsibly. He notes that his friend asked him to light a cigarette. Mr. Harig reached over to light the cigarette and lost control of the car, resulting in a crash that killed his friend.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

Mr. Harig was convicted of Murder in the First Degree in South Carolina and has lifetime supervision with South Carolina for this offense. This offense happened after his current index offense. Mr. Harig went to a party and an acquaintance of his was complaining that another man had groped his girlfriend. Mr. Harig made a comment along the lines of "he should die for that". Mr. Harig reports that he was not serious about the comment, but his acquaintance took it seriously. The acquaintance and another man took the victim outside and bludgeoned him. The acquaintance called Mr. Harig outside where he witnessed the victim's head bleeding and the victim saying that he didn't feel well. The Victim later died. Mr. Harig states that he did not participate in the physical violence against the victim, but accepts responsibility for the murder as he was the one that made the initial statement and did nothing to stop the altercation.

PROGRESS/BEHAVIOR SINCE LAST HEARING:

Mr. Harig has no serious infractions during his prison stay. He has completed an impressive list of offender change programs most notably Redemption/Reentry Skills, Roots of Success, Alternatives to Violence, Choices and Consequences, Stress Anger Management, and has a current referral to Chemical Dependency treatment.

CC Anason provided a summary of programming, behavior and other relevant activities for Mr. Harig. She stated Mr. Harig has never been a management issue in any way and always receives favorable reports from work supervisors, custody staff, and program staff (no infractions). She stated that Mr. Harig hopes to go back to South Carolina on an Interstate Compact transfer and that he has a fiancée' and home in that state.

Mr. Harig provided a description that matched file material for both his index offense as well as his Murder Conviction from South Carolina. 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. Mr. Harig presented as very thoughtful and someone that has learned from his experiences. He discussed the circumstances surrounding choosing to abscond from supervision in Washington. He hopes to release on an Interstate Compact to South Carolina where he has a home and fiancée' waiting for his return. He stated he plans to work and has experience in Textiles and an electrician certification to assist him in gaining employment.

Mr. Couey, Harig's attorney, addressed the Board and asked that a point of recognition for Mr. Harig's lengthy incarceration in another state, excellent prison and parole performance, and a strong release plan with excellent support and resources as the reasons the Board should find Mr. Harig conditionally parolable.

Original Judge and Prosecutor Recommendation, No current recommendation:

Mr. Harig was originally given a deferred sentence. However, he absconded out of state, where he committed another offense and spent 32 years in custody, did three years on parole out of

state, and was returned to Washington State to complete this sentence, which was revoked.

JP: ch

May 18, 2018

June 13, 2018

June 13, 2018

June 14, 2018

cc: Institution
Attorney Jason Couey
File



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

TO: Full Board

FROM: Jeff Patnode/Kecia Rongen (Christine)

RE: Harig, David, DOC # 247957

Panel Recommends: Conditionally parolable. He should transition through a camp setting, preferably at CRCC, as he is not eligible for work release or a MRP. The Board adds no time to his minimum term.

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

Agree	Disagree
Jeff Patnode 6-11-2018 Lori Ramsdell-Gilkey 6-11-2018 Elyse Balmert 6-11-2018 Kecia Rongen 6-11-2018	