



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

DECISION AND REASONS

NAME:	SKINNER, Brian
DOC#:	660064
FACILITY:	CRCC
TYPE OF HEARING:	.100 Hearing
HEARING DATE:	November 16, 2017
PANEL MEMBERS:	JP & KR
FINAL DECISION DATE:	November 27, 2017

This matter came before Jeff Patnode and Kecia Rongen who are members of the Indeterminate Sentence Review Board (ISRB or the Board) on the above date for a release hearing in accordance with the provisions of RCW 9.95.100. Mr. Skinner appeared in person and was represented by attorney Jason Couey. Additional testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Stephanie Schneider and Mr. Skinner. A reporter from the Tri-city Herald was also present.

BOARD DECISION:

This was a Deferred 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. Skinner is parolable.

NEXT ACTION:

Submit an Offender Release Plan (ORP).

JURISDICTION:

Brian Skinner is under the jurisdiction of the Board on a 2000 conviction in Benton County Cause

#99-1-00045-9 for Murder in the First Degree. The time start is January 26, 2000. The minimum term was set at 336 months from a Sentencing Reform Act range of 291 to 388 months. The maximum term is Life. Mr. Skinner has served approximately 214 months in prison and 371 days of jail time credit.

NATURE OF INDEX OFFENSE(S):

File materials indicate that Mr. Skinner (age 17) murdered an adult female in November of 1979 with whom he had a sexual relationship. The victim succumbed after multiple blows to the head which caused several fractures to the skull. There was DNA found on the victims bed sheets that matched the DNA of Mr. Skinner. He was convicted in 2000 by a jury.

PRIOR CRIMINAL CONDUCT:

Mr. Skinner has an extensive criminal history, including the following convictions:

Juvenile

- 1975 – 3rd Degree Theft and two Counts of 2nd Degree Burglary.
- 1976 - 3rd Degree Theft and 2nd Degree Burglary.
- 1977 – Simple Assault.
- 1979 – 2nd Degree Burglary and 1st Degree Possession of Stolen Property.

Adult

- 1980 – Six Counts of 2nd Degree Burglary under Benton County Cause #80-1-00072-5.
- 1985 – 1st Degree Criminal Trespass under Benton County Cause #85-1-00193-5.
- 1989 – Two Counts of 2nd Degree Burglary under Benton County Cause #89-1-00332-9.
- 1991 – Unlawful Delivery of a Cont. Subst. under Franklin County Cause #91-1-50154-7.
- 1996 – Possession of Marijuana.

HISTORY/COMMENTS:

This was Mr. Skinner's second Board hearing on this cause. His first hearing was March 18, 2015 where he was found conditionally parolable to a Mutual Reentry Plan (MRP) with no adjustment made to his time structure.

Mr. Skinner has not incurred a serious infraction since his last hearing and has also completed an intensive chemical dependency (CD) treatment with very positive reports from the program. He reportedly held a position of responsibility within the CD program and spent considerable time assisting other offenders. He is also employed as the Auto Driver at the camp where he drives the shuttle between the two facilities and has positive reports from his supervisor (this is a position of high responsibility).

CC Schneider provided information regarding programming (see above), behavior, employment and release planning for Mr. Skinner. The report was very favorable regarding his performance in treatment and work settings. CC Schneider stated that Mr. Skinner has strong community support (family) and plans to release to a faith based transition house in the Tri-cities. She indicated the program has a clean and sober emphasis and offers case management and employment assistance.

Mr. Skinner testified that he continues to be innocent of the index crimes of conviction. He did express empathy for the victim and survivors of the murder, while very clearly maintaining he did not commit the murder. He provided some context for the relationship he alleges he had with the victim. He stated that he is not bitter about being confined for a crime he did not commit and has come to realize that he is in prison for all the other terrible things he has done throughout his life. He also described the changes that have occurred in his thinking since the time of his offense and since his incarceration. He stated he has no intention to return to a lifestyle where he might commit crimes and or hurt others. Mr. Skinner stated he believes he is prepared to reenter society and he has taken advantage of the programming that he needed to address his thinking such that he is no longer a threat in any way to the community.

Mr. Skinner's attorney made clear that his client has completed the programming needed to address his criminogenic needs, done well on his MRP, and should be found parolable.

INFORMATION CONSIDERED:

In preparation for Mr. Skinner's hearing and its decision in this case, the Board completed a review of his ISRB file. The Board considered all information contained in those files, including but not limited to: the most recent DOC facility plan; information regarding institutional behavior and programming; any letters of support and/or concerns sent to the Board; the Pre-Sentence Investigation report and psychological evaluations. The Board also considered the testimony of the witnesses listed above.

On November 15, 2017 a letter was received from the Benton County Prosecutor which included the recommendation to deny parole.

REASONS:

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 9.95.009 (3) and RCW 9.95.100 the Board finds Mr. Skinner parolable.

Mr. Skinner has completed the programming requested by the Board which should mitigate his risk to the community, to include successfully completing his MRP. The Board also notes that Mr. Skinner has served the court set minimum term minus good time that is authorized by law. He participated in a psychological evaluation on May 31, 2017 with Dr. James Johnson in preparation for this hearing. In that assessment Dr. Johnson notes that Mr. Skinner appears to be successfully navigating within the parameters of the existing MRP. He notes that Mr. Skinner will be less likely to engage in criminal activity in the presence of mandatory ongoing external supervision and monitoring to be required by the legal system, participating in therapeutic outpatient group,

SKINNER #660064

Page 5 of 6

establishing a support system, and abstaining from alcohol or drugs.

Upon release to the community, Mr. Skinner will need to be diligent in his abstinence from substance use and maintain pro-social relationships in the community. He appears to have completed the programs necessary to mitigate his risk to reoffend.

JP: ch

November 27, 2017

November 28, 2017

December 15, 2017

December 18, 2017

CC: Institution
Brian Skinner
Mr. Skinner's Attorney(s)
File



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

DATE: 11-28-17
TO: Full Board
FROM: JP/KR (*Christine*)
RE: SKINNER, Brian #660064

Panel recommends: Parolable.

Next action: Submit an ORP.

Agree	Disagree
Jeff Patnode 11-27-2017 Elyse Balmert 11-27-2017 Lori Ramsdell-Gilkey 11-27-2017 Kecia Rongen 11-27-2017	