



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

DECISION AND REASONS

NAME: Johnson, Miranda
DOC #: 768110
FACILITY: Washington Corrections Center for Women – WCCW
TYPE OF HEARING: LTJUVBRD Hearing
HEARING DATE: December 13, 2017
PANEL MEMBERS: EB & LRG
FINAL DECISION DATE: December 18, 2017

This matter came before Elyse Balmert and Lori Ramsdell-Gilkey, 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 9.94A.730. Ms. Johnson appeared in person. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Jimmie Herrod, and Ms. Johnson.

BOARD DECISION:

Based on the burden of proof set out in RCW 9.94A.730(3) and the totality of evidence and information provided to the Board, the Board does not find by a preponderance of the evidence that Ms. Johnson is more likely than not to commit any new criminal law violations if released on conditions. Consequently, the Board finds Ms. Johnson releasable in approximately December 2018 upon her satisfactory completion of a transition through lower levels of custody that preferably includes a period of time in work release. The actual release date is contingent upon the approval of the Offender Release Plan (ORP) and the mandatory Law Enforcement Notification.

NEXT ACTION:

Submit an Offender Release Plan (ORP) in August of 2018 for review and approval by the Board.

JURISDICTION:

RCW 9.94A.730, enacted in 2014, allows offenders who were under the age of 18 when they committed their crime(s) and were sentenced as adults to petition the Board for consideration of early release consideration after serving no less than 20 years of total confinement. Miranda Johnson's petition was submitted and accepted, which resulted in her hearing on this date.

Miranda Johnson is under the jurisdiction of the Board on an August 19, 1997 conviction in Douglas County Cause 97-1-00048-7 for Murder in the First Degree, a Juvenile Board case. The time start is August 21, 1997. The minimum term was set at 320 months from a Sentencing Reform Act (SRA) range of 240 to 320 months. The maximum term is Life. Ms. Johnson has served approximately 244 months in prison and 181 days of jail time.

NATURE OF INDEX OFFENSE(S):

According to file materials, Ms. Johnson and her two co-defendants drove to Wenatchee from Seattle to "case" a gun store that they intended on robbing. Ms. Johnson stayed in the car as the co-defendants entered the store. Ms. Johnson states that after hearing a gunshot she went in the store. Inside the shop, the store owner had been shot in the head twice. Ms. Johnson and her co-defendants proceeded to load between 80 - 110 firearms into the trunk of their car. Apparently, while they were loading the firearms in the car, all three of the offenders made frequent checks on the store owner because he was "making noises". During today's testimony Ms. Johnson stated that she struck the store owner in the head to put him out of his suffering. Other reports noted that it is possible all three defendants hit the store owner in the head and face with a hatchet as he lay unconscious. It should also be noted that the victim had considered them suspicious and had written down their license plate number. The offenders had searched for this piece of paper prior to leaving the shop but were unable to find it. The victim was found the next day in his shop by Douglas County Sheriff's Deputies. The Medical Examiner determined

that he had been alive when he was locked in his shop, and that he bled to death prior to being found by law enforcement.

PRIOR CRIMINAL CONDUCT:

- *01/02/1995* – Taking a Motor Vehicle Without the Owner’s Permission (King County Cause number unknown) Disposition: Community service and Community Supervision.
- *06/22/1993* – Taking a Vehicle Without the Owner’s Permission (King County Cause Number unknown) Disposition: Community service and Community Supervision.
- Juvenile Misdemeanor – Theft in the First Degree.

HISTORY/COMMENTS:

This was Ms. Johnson’s first hearing. Ms. Johnson has incurred seven serious infractions since her incarceration with the last one occurring in 2012. There were no violent infractions.

CC Herrod testified that Ms. Johnson has completed multiple offender change programs and is working on an Associates of Art (AA) degree. Mr. Herrod stated that she currently is working as a Teacher’s Assistant in the cosmetology program where she helps the students as needed and ensures that the studio is clean. CC Herrod said that Ms. Johnson is taking multiple classes in the Freedom Education Project Puget Sound (FEPPS). She is also currently in the Beyond Violence program and scheduled to complete this class in December. He also stated that Ms. Johnson has an AA in cosmetology and a certificate as a flagger. Mr. Herrod says that Ms. Johnson has support from her family and friends and receives regular visits. Her re-entry plan is to release to her father and step-mother’s home in King County. She wants to get her cosmetology license, go to community college and eventually transfer to a four year university. CC Herrod states that Ms. Johnson is respectful and responsible on the unit.

Ms. Johnson testified that she agreed with the facts of the crime and takes responsibility for her part. She did clarify some elements of the offense as outlined above. Ms. Johnson states that when she was a teen she bounced between her mother’s home and foster care until she was

kicked out at 15 years of age at which time she lived with some friends. She said during the time of the offense she was trying to be cool and be accepted by her peers. She had used alcohol and drugs. Ms. Johnson said that she was placed in a prison out of state for 14 years where she worked for eight years as a telemarketer and gained a vast amount of knowledge from her work experience.

Ms. Johnson stated that since her incarceration she has completed her AA degree and wants to get her under graduate degree in computer science when released. She said she has been approved for Free Application for Federal Student Aid (FAFSA) for the 2108-2019 year. Ms. Johnson stated that if released she would be living with her father and step-mother and would work as a hair stylist to support herself. She said her mother is also one of her biggest supporters along with her aunt. When asked what she thought her biggest challenge would be when released she said not being able to do everything at once.

INFORMATION CONSIDERED:

In preparation for Ms. Johnson's hearing and its decision in this case, the Board completed a review of her ISRB file. The Board considered all information contained in that file, including but not limited to: Information provided by the sentencing court/prosecutor; 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 the prosecutor's recommendation. The Board also considered the testimony of the witnesses.

In a letter dated September 19, 2017, Douglas County Prosecutor Steven Clem wrote that he believed "Ms. Johnson is a candidate for early release, subject to such affirmative conditions as the ISRB deems appropriate."

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 9.94A.730 (3) the Board finds Ms. Johnson is not more likely than not to commit a new crime if she satisfactorily completes conditions that are designed to help better prepare her for a successful re-entry into society. Ms. Johnson has been incarcerated for over 20 years and has no prior experience of living independently as an adult. The Board acknowledges that Ms. Johnson has completed several programs and has acquired multiple employment skills.

The most recent psychological evaluation was completed by Dr. Deborah Wentworth on August 29, 2017. Dr. Wentworth states: "Overall, the results of this evaluation suggest that Ms. Johnson is at 'very low to low' risk to reoffend." She further notes that Ms. Johnson may be a reasonable candidate for transitioning to a less restrictive setting and would benefit from continued therapy for stress and anger issues".

Ms. Johnson reportedly has been in a camp setting for a period of time, therefore the Board would like to see how she manages with increased responsibility in work release.

As a result of this release decision, Ms. Johnson will come under the jurisdiction of the Board. The Board expects Ms. Johnson to demonstrate infraction free behavior and adhere to all elements of the re-entry/transition plan, especially any programs that address his risks and needs. If Ms. Johnson incurs a serious infraction, is demoted from a custody level, or returned to prison from work release, the Board shall have cause to hold a new hearing based on this new information to determine if she is still releasable.

EB:ffo

12/15/2017

12/18/2017

12/20/2017

01/02/2018

cc: Institution/WCCW
Miranda Johnson
File/ffo

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

DATE: December 18, 2017

TO: Full Board

FROM: EB & LRG (*Fawn*)

RE: Johnson, Miranda / *DOC# 768110*

Panel recommends: Releasable in approximately December 2018.

Next action: Submit an ORP for consideration in August 2018.

Agree	Disagree
Elyse Balmert – 12-18-2017 Lori Ramsdell-Gilkey 12-18-2017 Jeff Patnode 12-18-2017 Kecia Rongen 12-18-2017	