

THIRTY SIXTH DAY, FEBRUARY 13, 2017

2017 REGULAR SESSION

## THIRTY SIXTH DAY

## NOON SESSION

Senate Chamber, Olympia  
Monday, February 13, 2017

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

## MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

## MOTION

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 9, 2017

SB 5341 Prime Sponsor, Senator King: Modifying monetary penalties imposed for infractions relating to mobile and manufactured home installation. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Keiser, Ranking Minority Member; Conway; Hasegawa; King; Rossi; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

February 8, 2017

SB 5580 Prime Sponsor, Senator O'Ban: Concerning professionals qualified to examine individuals in the mental health and substance use disorder treatment systems. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5580 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Carlyle; Hunt and Padden.

Referred to Committee on Rules for second reading.

## MOTION

On motion of Senator Fain, the recommendations of the Standing Committees were accepted and all measures listed on the Standing Committee report were referred to the committees as designated.

## MOTION

On motion of Senator Fain, the Senate advanced to the third order of business.

## MESSAGE FROM THE STATE OFFICERS

The following reports were submitted to the Office of the Secretary and received by the Senate:

**Department of Commerce** – “*Electric Utility Resource Planning, 2016 Report*” pursuant to 19.280 RCW, report date December 1, 2016;

**Department of Commerce** – “*Building Communities Fund Report 2016*” pursuant to 43.63A.125 RCW, report date December 1, 2016;

**Department of Revenue** – “*Clean Alternative Fuel Vehicle Data, July 2015 - December 2016*” pursuant to 82.08.809 RCW, report date January 17, 2017;

**Department of Social & Health Services** – “*BHO/Early Adopter Integration of Behavioral Health, June 1, 2016-August 31, 2016*” in accordance with Second Engrossed Substitute House Bill No. 2376, report date October 31, 2016;

**Department of Social & Health Services** – “*Forensic Admissions and Evaluations, Performance Targets*” pursuant to 10.77.068 RCW, report date January 31, 2017; and

**Department of Transportation** – “*On-the-Job Training Support Services Program, 2016 Annual Report*” pursuant to 47.01.435 RCW, report date January 1, 2016.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

February 9, 2017

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVID L. AMMONS, appointed February 9, 2017, for the term ending December 31, 2020, as Member of the Public Disclosure Commission.

Sincerely,  
JAY INSLEE, Governor

Referred to Committee on State Government as Senate Gubernatorial Appointment No. 9249.

## MOTION

On motion of Senator Fain, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

## MESSAGE FROM THE GOVERNOR

February 7, 2017

To the Honorable Lt. Governor Cyrus Habib,  
President of the Senate,  
and the Senate of the State of Washington

Ladies and Gentlemen:

In compliance with the provisions of Article III, Section 11, of the Constitution of the state of Washington, the Governor hereby submits his report of each case of reprieve, commutation or

pardon that he has granted since the adjournment of the 2016 Regular and Special Sessions of the 64th Legislature, copies of which are attached.

Sincerely,

/s/Nicholas W. Brown  
General Counsel

cc: David Postman, Chief of Staff

**CONDITIONAL COMMUTATION  
OF  
JOSIAH MALIK RASHID**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2012, Josiah Malik Rashid, a juvenile, was found guilty of FIRST DEGREE ROBBERY, RESIDENTIAL BURGLARY with a FIREARM ENHANCEMENT, and SECOND DEGREE UNLAWFUL FIREARM POSSESSION in King County Superior Court, Cause No. 11-C-02231-1, and sentenced to 87 total months of confinement, after he and his associates broke into an acquaintance's house, and engaged in an armed robbery in March 2011.

WHEREAS, Mr. Rashid has been incarcerated since March 2011 and has served 55 months in confinement. He is scheduled to be transferred to an adult correctional facility for the remaining seven months of his sentence.

WHEREAS, Mr. Rashid accepts full responsibility for his conduct in this incident, and he expresses remorse. He has been in the custody of the Juvenile Rehabilitation Administration at the Green Hill School since 2012, and he has paid all of the restitution owed to the victims. While in detention, Mr. Rashid has also seized every opportunity to improve himself. He earned his high school diploma in July 2014, and he has already earned approximately 10 credits toward his college degree.

WHEREAS, Mr. Rashid has taken advantage of vocational opportunities and work readiness programs. He works two jobs, and has excelled; in one of those roles, he has worked over 3,000 hours and was named Employee of the Year.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Mr. Rashid's clemency petition, which included several letters of support from Juvenile Rehabilitation Administration personnel, family, friends, and community members. The King County Prosecuting Attorney's Office does not oppose Mr. Rashid's clemency petition.

WHEREAS, at his hearing, Mr. Rashid described the strong support network that will help him successfully reintegrate into the community. He has received offers for employment upon his release, and he has been offered a place to live. Moreover, Mr. Rashid has already been accepted into local colleges, where he intends to further his education.

WHEREAS, at the time of his crime in 2011, Mr. Rashid had just turned 16 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, studies also demonstrate that youth incarcerated in an adult correctional facility face an increased risk of negative peer influence. If Mr. Rashid were to be placed into an adult correctional facility for the remaining seven months of his sentence, after he ages out of the Juvenile Rehabilitation Administration, he may suffer a setback in his rehabilitation and therefore pose a greater risk to the community upon release. The potential harm that Mr. Rashid could experience in an adult facility, on a sentence imposed for a crime he committed as a youth, greatly outweighs any value to the community in Mr. Rashid's being incarcerated for seven months in an adult facility.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Rashid's sentence prior to January 29, 2016, the date Mr. Rashid ages out of the Juvenile Rehabilitation Administration and would otherwise be transferred to DOC custody.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I**, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Josiah Malik Rashid's sentence for his 2012 FIRST DEGREE ROBBERY, RESIDENTIAL BURGLARY with a FIREARM ENHANCEMENT, and SECOND DEGREE UNLAWFUL FIREARM POSSESSION convictions, conditioned on his written agreement to comply with all terms outlined by the Juvenile Rehabilitation Administration and DOC in a transition plan.

Under this transition plan, Mr. Rashid will be transferred from Green Hill School to the Oakridge Community Facility as soon as space is available. While at the Oakridge Community Facility, Mr. Rashid will attend Pioneer Human Services' Roadmaps to Success job training program.

Throughout the remainder of his custody under the Juvenile Rehabilitation Administration, Mr. Rashid must obey all laws and comply with the orders of his counselors and supervisors at the Green Hill School and Oakridge Community Facility. On January 29, 2016, Mr. Rashid will be released from the Juvenile Rehabilitation Administration to serve a 12-month term of community custody under DOC supervision.

While on community custody, Mr. Rashid shall:

1. Obey all laws;
2. Follow all DOC conditions and obey orders issued by his community corrections officer (CCO);
3. Be subject to polygraph examinations during the first six months of his community custody;
4. Participate in educational, vocational, or job readiness programs, and if not enrolled in school or employed, participate in a work crew as directed by his CCO;
5. Be subject to testing for alcohol or drugs, including marijuana, spice, or mind and mood altering drugs that are not prescribed by a licensed medical doctor;
6. Not associate with known gang members, criminal associations, or his co-defendants unless he receives the approval of his CCO;

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7. Be subject to geographic travel restrictions as determined by his CCO;
8. Be subject to new chemical dependency assessments in the community setting, and follow recommendations given by the chemical dependency program;
9. Not visit bars and taverns, unless he receives approval of his CCO;
10. Not possess firearms, ammunition, or dangerous weapons;
11. Live in a residence approved by his CCO. Mr. Rashid must notify his CCO within one business day of any residence change, and new residences must receive DOC approval.

PROVIDED, that Mr. Rashid shall remain under the supervision of the DOC and explicitly follow conditions established by that agency during the term of his community custody.

Violation of any of the above conditions shall result in sanctions as deemed appropriate by the DOC and may result in the termination of this conditional commutation as provided below. The Department may require Mr. Rashid to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Rashid if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Rashid is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington or, during the period of his 12-month supervision, violates the conditions of this conditional commutation as determined by the Governor, this conditional commutation is revoked and the sentence of the court reinstated, whereupon Mr. Rashid will be immediately returned to a corrections facility as the DOC Secretary deems appropriate. The DOC shall provide a written report to the Governor regarding any violation of this conditional commutation. A written notice of the Governor's intent to revoke the conditional commutation will be mailed to the most recent address Mr. Rashid has provided to the Office of the Governor or, if Mr. Rashid is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice Mr. Rashid submits a sworn statement made under penalty of perjury that he has complied with all conditions of this commutation, the Governor shall appoint a hearing officer.

The hearing officer will provide Mr. Rashid an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the conditional commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive decision on whether Mr. Rashid has violated the conditions of this conditional commutation.

ADDITIONALLY PROVIDED, that Mr. Rashid may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this conditional commutation has been violated if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this conditional commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Rashid may abscond if not detained. If detained, Mr. Rashid will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10<sup>th</sup> day of November, A.D., two thousand and fifteen.

SEAL

/s/Jay Inslee

Governor of Washington

BY THE GOVERNOR

/s/Mark Neary

Asst. Secretary of State

**AMENDED CONDITIONAL COMMUTATION  
OF  
JOHN RAY STEWART**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, John Ray Stewart was convicted on November 20, 1998, of First Degree Attempted Robbery and First Degree Burglary under King County Superior Court Cause No. 97-1-05832-1 and sentenced to serve Life Without the Possibility of Parole as required by Washington's Persistent Offender Accountability Act, the so-called "Three Strikes" law.

WHEREAS, the crimes leading to these final strike convictions occurred on July 29, 1997. Mr. Stewart burglarized a home, fought with the homeowner's two sons who chased him, and then tried to steal a vehicle belonging to one of the sons.

WHEREAS, the crime that led to Mr. Stewart's first strike conviction occurred on May 7, 1990. Mr. Stewart was convicted of Second Degree Assault after he and a co-defendant began beating hitchhikers after the hitchhikers refused their demand for money and started calling for help.

WHEREAS, the crime that led to Mr. Stewart's second strike conviction occurred on September 9, 1991. Mr. Stewart pleaded guilty to First Degree Manslaughter after he and a co-defendant went to a residential property to steal marijuana and the co-defendant shot and killed a man who was on the premises.

WHEREAS, Mr. Stewart has also been convicted of other crimes, including Forgery in 1996 for signing the name of the owner on charge slips for a credit card that did not belong to him; Third Degree Assault in 1987 after using a knife during a drug dispute and cutting a man on the side of the neck; and Violation of the Uniform Controlled Substance Act in 1990 by possession of valium without a physician's prescription.

WHEREAS, in 2003, while in prison at the Washington State Penitentiary, Mr. Stewart met inmate Steven F. Sherer, who had been convicted of the murder of his wife. Mr. Sherer stated to Mr. Stewart and another inmate that he wanted to kill King County Deputy Prosecutor Marilyn Brenneman, who prosecuted the case against Mr. Sherer. He also stated he wanted to burn down the house of a key witness. Mr. Stewart contacted the King County Prosecutor's Office and reported the threats. He then assisted the police investigation that identified steps Mr. Sherer had taken to hire a person being released from prison to carry out his plan, and testified against Mr. Sherer at trial. A detective in the Major Crimes Unit of the King County Sheriff's Office wrote that Mr. Stewart "testified in trial knowing his own safety within the penitentiary would be sacrificed." The detective wrote that Mr. Stewart never asked for or received any financial reimbursement

for his assistance, but that Mr. Stewart's motivation was to balance the wrong he had committed in his life by helping to thwart a scheme to murder a deputy prosecutor. The King County Prosecuting Attorney's Office confirmed that no benefit was conferred upon Mr. Stewart for his actions in this matter, and that Mr. Stewart simply asked to be protected without having to spend the rest of his life in solitary confinement. Mr. Stewart did spend about one year in solitary confinement for his own safety.

WHEREAS, the retired deputy prosecutor who was the target of Mr. Sherer's threat of murder for hire wrote: "I do believe that Mr. Stewart's act in reporting the attempted murders may have saved the lives of several people." She also stated: "I think that Mr. Stewart's action in this matter indicates someone with a conscience and courage." The witness against Mr. Sherer in his murder trial noted he planned to have her home burned while her family was sleeping. She wrote: "Thanks to John, the lives of three people, including me, were saved and a terrible crime was prevented before anything bad could happen."

WHEREAS, during his incarceration Mr. Stewart has earned his G.E.D., completed programs in Victim Awareness and Anger Management, participated in Narcotics Anonymous, and has been employed as a utility worker running the "wax crew" within the institution.

WHEREAS, following Mr. Stewart's Clemency and Pardons Board hearing on November 1, 2007, the Board issued a unanimous 4-0 recommendation in support of a commutation of his Life Without the Possibility of Parole sentence. Governor Gregoire denied Mr. Stewart's petition at that time, but invited him to repetition the Board in 2011.

WHEREAS, following Mr. Stewart's Clemency and Pardons Board hearing on December 9, 2011, the Board voted 2 - 2 on whether to recommend commutation of his Life Without the Possibility of Parole sentence. Two Board members believed Mr. Stewart's conduct in helping to prevent serious harm to the witness and her family and to the deputy prosecuting attorney at risk to his own personal safety was extraordinary. These Board members recommended a commutation. Two Board members expressed concern about Mr. Stewart's conduct and description of a 2010 fight with another inmate that led to an infraction, expressed concern about Mr. Stewart's readiness to return to society, and stated that a risk assessment needed to be conducted to provide reassurance there is not a substantial risk that Mr. Stewart would reoffend.

WHEREAS, on January 14, 2013, Governor Gregoire granted Mr. Stewart a Conditional Commutation on the remainder of his sentence, contingent on, among other things, his successful completion of a work release program and then an 18 month term of community custody. Before completing his work release program, on August 1, 2015, Mr. Stewart received a major infraction for fighting. Consequently, Mr. Stewart was terminated from his work release program. Mr. Stewart waived his right to a hearing to challenge the accusations against him and conceded that he violated the terms of his Conditional Commutation.

WHEREAS, having reviewed the Department of Corrections' reports describing the events of August 1, 2015, I have determined that Mr. Stewart has violated the terms of the Conditional Commutation granted by Governor Gregoire in 2013.

WHEREAS, Mr. Stewart is now 46 years old. Mr. Stewart has been incarcerated on King County Superior Court Cause No. 97-1-05832-1 for over 18 years.

WHEREAS, Section 5 of Initiative 593 indicated that nothing in this act shall ever be interpreted or construed as to reduce or eliminate the power of the governor to grant a pardon or clemency to any offender on an individual case-by-case basis."

**NOW, THEREFORE, I**, Jay Inslee, by virtue of the power vested in me as Governor of the State of Washington under Article III Section 9 of the Washington State Constitution, RCW 9.94A.885 and RCW 9.95.260, hereby grant to John Ray Stewart an Amended Conditional Commutation of his sentence. Mr. Stewart shall remain incarcerated until no later than January 1, 2017, and during his incarceration he must complete a work release program and a Department of Corrections-approved mental health counseling program; upon successful completion of those assignments and his release from incarceration, Mr. Stewart must serve an 18 month term of community custody.

Mr. Stewart shall:

1. Enter, abide by all rules of, and successfully complete six months in the Department of Corrections Work Release program;
2. Report regularly to a community corrections officer as directed by the Department of Corrections;
3. Participate in Department of Corrections-approved education, employment and community service;
4. Receive prior approval from the Department of Corrections for living arrangements and residence location;
5. Notify the Department of Corrections prior to any changes of address or employment;
6. Remain in the geographic area as directed by the community corrections officer;
7. Not possess, receive, ship, or transport a firearm, ammunition, or explosives;
8. Not possess or use any controlled substances without a prescription from a licensed practicing physician;
9. Abstain from alcohol and marijuana consumption and possession;
10. Submit to regular and random urinalysis and breathalyzer testing, as directed by the community corrections officer;
11. Participate in substance abuse and chemical dependency evaluation as directed by the community corrections officer and successfully complete and abide by all conditions of recommendations from such evaluation;
12. Participate in chemical dependency and substance abuse support groups, as directed by the community corrections officer;
13. Not associate with any drug users or dealers;
14. Not associate with any individuals who participated in the commission of any of the offenses that resulted in his sentencing under the Persistent Offender Accountability Act;
15. Have no direct contact with any of his victims or their families;
16. Participate in electronic monitoring, if deemed appropriate by the community corrections officer;
17. Comply with all standard conditions, recommendations, and instructions of community placement as directed by the community corrections officer; and

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18. Pay any remaining legal financial obligations required by the Washington State sentencing court.

Olympia on this 10<sup>th</sup> day of November, A.D., two thousand and fifteen.

PROVIDED, that Mr. Stewart shall remain under the supervision of the Department of Corrections and explicitly follow conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by the Department of Corrections, to include total confinement under Department of Corrections' policies and rules, and may result in the termination of this Conditional Commutation as provided below. The Department may require Mr. Stewart to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Stewart if he violates a condition.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
ISMAEL BALTAZAR JUAN**

**To All to Whom These Presents Shall Come, Greetings:**

ADDITIONALLY PROVIDED, that Mr. Stewart shall have no direct contact with any of his victims or their families at any time, either before or after he has served this commuted sentence.

WHEREAS, in 2000, Ismael Baltazar Juan pleaded guilty to two counts of INDECENT LIBERTIES in Pierce County Superior Court, Cause No. 00-1-03172, and was sentenced to 89 months of confinement with 83 months suspended, and \$610 in legal financial obligations. These charges arose after a then-20 year old Mr. Baltazar Juan approached a woman and began inappropriately touching her outside of a convenience store.

ADDITIONALLY PROVIDED, that in the event Mr. Stewart is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington or violates the conditions of this Conditional Commutation as determined by the Governor, this Conditional Commutation is revoked and the sentence of the court reinstated, whereupon Mr. Stewart will be immediately returned to the Washington Corrections Center or any such facility as the Secretary of the Department of Corrections deems appropriate. The Department of Corrections shall provide a written report to the Governor regarding any substantial or sustained violations of this Conditional Commutation. A written notice of the Governor's intent to revoke the Conditional Commutation will be mailed to the most recent address Mr. Stewart has provided to the Office of the Governor or, if Mr. Stewart is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice,

WHEREAS, Mr. Baltazar Juan accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence. He has completed a 36-month sexual offender treatment program, and he has paid off all of his legal financial obligations. In 2013, Mr. Baltazar Juan underwent several risk assessments, and it was determined that he is a low risk to reoffend.

Mr. Stewart submits a sworn statement made under penalty of perjury that he has complied with all conditions of this commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Stewart an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive decision on whether Mr. Stewart has violated the conditions of this Conditional Commutation.

WHEREAS, Mr. Baltazar Juan is a Guatemalan immigrant. Since his crime, Mr. Baltazar Juan has participated in reprogramming and now better understands and appreciates the cultural differences between his native Guatemala and the United States. These convictions on Mr. Baltazar Juan's record now subject him to deportation to Guatemala, where he has no family or employment prospects.

ADDITIONALLY PROVIDED, that Mr. Stewart may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Stewart may abscond if not detained. If detained, Mr. Stewart will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

WHEREAS, in December 2014, the Clemency and Pardons Board reviewed Mr. Baltazar Juan's clemency petition, which included numerous letters of support from family, friends, and members of the community. Testimony before the Board was that in the 15 years since his crime, Mr. Baltazar Juan has married and is now raising four children. He also works over 40 hours a week, and has quit consuming alcohol. Also, the victim in this case was contacted and did not oppose Mr. Baltazar Juan's clemency petition.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Baltazar Juan be granted a full pardon. The Board stressed that it was particularly concerned about the negative effects that would result if Mr. Baltazar Juan were to be deported, leaving his wife and four young children without a husband and father.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Ismael Baltazar Juan this FULL AND UNCONDITIONAL pardon of his conviction for two counts of INDECENT LIBERTIES, in Pierce County Superior Court, Cause No. 00-1-03172-8, so that he may remain with his family.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 19<sup>TH</sup> day of November, A.D., two thousand and fifteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
MARIE DENISE CLARK**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1999, Marie Denise Clark pleaded guilty to THIRD DEGREE ASSAULT in Clark County Superior Court, Cause No. 98-1-02335-0, and was sentenced to 81 days in jail. This charge arose after a then-18 year old Ms. Clark, in a schizophrenic episode, attempted to stab her father with a kitchen knife.

WHEREAS, Ms. Clark accepts full responsibility for her past conduct and expresses remorse. At the time of the incident, she was not yet clinically diagnosed as schizophrenic, and later medical examinations determined that she was not cognitively aware of her actions during the knife attack.

WHEREAS, since this incident, Ms. Clark has found a medical regimen that has remedied her schizophrenia. She takes medication and has not exhibited any violent behavior since this single episode in 1998. Her longtime doctor believes that her condition has been in remission for at least the last five years.

WHEREAS, in March 2015, the Clemency and Pardons Board reviewed Ms. Clark's clemency petition, which included letters of support from her doctor and members of the community. Testimony before the Board was that Ms. Clark would like to pursue her faith by becoming a sister in her church, but the felony on her record limits her, pursuant to the policies of her church. Furthermore, Ms. Clark has attempted to volunteer at a local hospital, only to be rejected because of this conviction.

WHEREAS, the victim in this case, her father, fully supports Ms. Clark's clemency petition, and the Clark County Prosecuting Attorney does not oppose it. Ultimately, the Clemency and Pardons Board voted unanimously to recommend that Ms. Clark be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Marie Denise Clark this FULL AND UNCONDITIONAL pardon of her conviction for THIRD DEGREE ASSAULT, in Clark County Superior Court, Cause No. 98-1-02335-0, so that she may pursue her religious calling and volunteer work in her community.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington be affixed at Olympia on this 25<sup>th</sup> day of November A.D., two thousand and fifteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
DAVID CORNELIUS CONYERS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, David Cornelius Conyers was found guilty of four counts of SECOND DEGREE ROBBERY in June 1995, King County Superior Court Cause No. 94-C-07842-5. Mr. Conyers had entered a series of convenience stores, pretending to be armed, and he demanded money from store personnel. He never physically harmed his victims.

WHEREAS, this offense qualified Mr. Conyers as a "Three Strikes" persistent offender and resulted in a life sentence. He had twice earlier been convicted of similar offenses. At 21 years old, he was the youngest person in Washington to be sentenced under our persistent offender statute, and he has been incarcerated since November 21, 1994.

WHEREAS, Mr. Conyers has never been convicted of a Class A felony. He has also not had any serious infractions while in custody since 2007.

WHEREAS, Mr. Conyers accepts full responsibility for his past criminal conduct and expresses remorse. He acknowledges that he has matured significantly since he was first incarcerated as a young man over 20 years ago. He has earned his GED while in prison, and he has also completed numerous job skills and substance abuse courses.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Mr. Conyers' clemency petition, which included several letters of support from friends, family, and other community members. Mr. Conyers' sentencing judge and King County Prosecuting Attorney Dan Satterberg both expressed strong support for Mr. Conyers.

WHEREAS, the testimony before the Board was that Mr. Conyers' advocate network will support him and help him transition to life outside of prison. Pioneer Health Services has offered to provide Mr. Conyers transitional housing and job skills to help him reconnect to the community and its transition programs.

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WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Conyers' sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE David Cornelius Conyers' sentence for his four 1995 convictions for SECOND DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in an in-custody transition plan ending no later than June 1, 2017, that must include successful completion of a six to nine month work release program.

Following his release from custody, Mr. Conyers shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. Conyers will comply with any conditions set forth by the DOC and its community corrections officers. These conditions shall include, but not be limited to the following:

Mr. Conyers shall:

1. Obey all laws and follow standard DOC conditions for supervision;
2. Report as directed and be available for contact with the DOC;
3. Abide by written or verbal instructions issued by DOC, and comply with all community custody conditions as directed by DOC;
4. Remain in a geographic area as directed by DOC;
5. Notify and receive prior approval from DOC for living arrangements and residence locations, as well as employment changes;
6. Obtain legal employment, but not be employed at any bars, taverns, or places where alcohol is a predominate feature in the business enterprise, as determined by DOC;
7. Participate on DOC work crews or in DOC programming as directed by his community corrections officer, if he is unable to find legal employment;
8. Obtain a drug and alcohol assessment from a certified provider and follow all treatment recommendations;
9. Participate regularly in NA/AA as directed by DOC, and abstain from using or possessing alcohol and drugs, including marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
10. Complete community stress and anger management programming to mitigate aggression;
11. Complete the *Thinking for a Change* program;
12. Not possess, receive, ship, or transport any explosive device, dangerous weapons, ammunition, or firearms;
13. Have no direct or indirect contact with any victims and/or their families;
14. Not associate with his co-defendants, known gang members, individuals with criminal records, or anti-social persons, unless approved by DOC;
15. Report any contact with law enforcement, or arrests, to DOC within one business day of the incident;

PROVIDED, that Mr. Conyers shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by the DOC and may result in the termination of this Conditional Commutation as provided below. If

Mr. Conyers is taken into custody following any alleged violation, DOC shall hold a

Community Custody Hearing. DOC may also require Mr. Conyers to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Conyers if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Conyers violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, where- upon Mr. Conyers will be immediately returned to any such facility as the Secretary of the DOC deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation will then be mailed

to the most recent address Mr. Conyers has provided to the Office of the Governor or, if

Mr. Conyers is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Conyers submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Conyers an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Conyers has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Conyers is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Conyers will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Conyers may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Conyers may abscond if not detained. If detained, Mr. Conyers will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 1<sup>st</sup> day of December A.D., two thousand and fifteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**CONDITIONAL COMMUTATION  
OF  
WILLEEN RAYE BALLARD**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2004, Willeen Raye Ballard was convicted of THIRD DEGREE ASSAULT, FIRST DEGREE THEFT, and FIRST DEGREE POSSESSION OF STOLEN PROPERTY in King County Superior Court, Cause No. 02-1-08642-6, and sentenced to 25 years in prison, after she and an associate confronted an elderly woman in a car, forcibly removed the woman from the car, and then drove off in the car.

WHEREAS, Ms. Ballard has faced tremendous adversity in her life; she was a victim of domestic sexual abuse at a young age and was forced to the streets where she was subjected to violence and victimized in the sex trade. She accepts full responsibility for her conduct in this incident, and she expresses remorse. She has paid off nearly \$20,000 in legal financial obligations. And, since 2011, she has received no serious infractions. Ms. Ballard also seizes opportunities to improve herself while in prison. She has completed various college courses, seminars, and other self-improvement programs.

WHEREAS, the Clemency and Pardons Board reviewed Ms. Ballard's clemency petition, which included several letters of support from her family and other community members. The victim's family expressed no opposition to Ms. Ballard's petition, and the King County Prosecuting Attorney's Office testified in full support of her petition.

WHEREAS, Ms. Ballard met a man that she is engaged to marry and begin a life with, outside of prison. She also wants to become an active parent in her teenage son's life. She also wants to complete her college education at The Evergreen State College and begin an at-risk youth program in Thurston County.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor CONDITIONALLY COMMUTE Ms. Ballard's sentence based upon a transition plan directed by the Department of Corrections (DOC). And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Willeen Raye Ballard's sentence for her 1994 THIRD DEGREE ASSAULT, FIRST DEGREE THEFT, and FIRST DEGREE POSSESSION OF STOLEN PROPERTY convictions, conditioned on her agreement to comply with all terms outlined by the DOC in a transition plan. Under this**

transition plan, Ms. Ballard will complete a nine-month in-custody transition period, in which she must successfully complete a work-release program. During the work-release phase of this transition, Ms. Ballard must attend weekly substance abuse programs. This initial in-custody phase of her transition must terminate no later than October 1, 2016.

Following the in-custody portion of her transition, Ms. Ballard will serve an additional 12 months of community custody, to end no later than October 1, 2017. During her time in custody and on community supervision, Ms. Ballard will comply with any conditions set by DOC and its community corrections officers. These conditions shall include, but not be limited to the following:

Ms. Ballard shall:

1. Obey all laws and follow standard DOC conditions for supervision;
2. Report regularly to her community corrections officer as directed by DOC;
3. Participate in DOC-approved education, employment, and/or community service programs;
4. Receive prior approval from DOC for living arrangements, residence locations, and residence location changes;
5. Allow community corrections officers to conduct home, employment, and stakeholder visits as DOC deems appropriate;
6. Remain in a geographical area as determined by her community corrections officer;
7. Not possess or consume any controlled substances without a prescription;
8. Receive support regarding abstinence from alcohol or drugs, and complete a substance abuse evaluation and/or treatment as prescribed by her community corrections officer.
9. Participate regularly in NA/AA as directed by DOC, and abstain from using or possessing alcohol and drugs, including marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
10. Submit to regular and/or random urinalysis and breathalyzer testing as directed by DOC;
11. Not have direct or indirect contact with the victim or victim's family;
12. Notify DOC prior to any changes in address or employment;
13. Not possess, receive, or transport a firearm;
14. Receive mental health services as recommended by DOC; and
15. Not frequent areas of prostitution.

PROVIDED, that Ms. Ballard shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Ballard is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Ballard to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Ballard if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Ballard violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation



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may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Ballard will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Ballard has provided to the Office of the Governor or, if Ms. Ballard is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Ballard submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Ms. Ballard an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Conditional Commutation is granted.

The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Ms. Ballard has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Ballard is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Ballard will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Ballard may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe she has violated the above conditions of this Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Ballard may abscond if not detained. If detained, Ms. Ballard will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe she has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11<sup>th</sup> day of December A.D., two thousand and fifteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**CONDITIONAL COMMUTATION  
OF  
PAUL RIVERS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, Paul Rivers was found guilty of SECOND DEGREE ROBBERY in May 1994, King County Superior Court Cause No. 93-1-06019-6. He confronted an espresso bar manager and, unarmed though claiming to be carrying a weapon, ordered

the manager to turn over a bag of money that he was taking to the bank. Mr. Rivers then snatched the bag from the manager and fled.

WHEREAS, this offense qualified Mr. Rivers as a "Three Strikes" persistent offender and resulted in a life sentence. He had twice earlier been convicted of participating in similar second degree robberies, and he was also convicted of an earlier second degree assault.

WHEREAS, at the time of sentencing, the trial judge that sentenced Mr. Rivers expressed that he would have sentenced him to five years in prison for this offense, but the law required a life sentence. The standard range maximum sentence for Mr. Rivers' crime would have been 10 years; instead, Mr. Rivers has been incarcerated over 20 years.

WHEREAS, Mr. Rivers accepts full responsibility for his conduct in this incident and expresses remorse. He acknowledges that substance abuse contributed substantially to his past criminal conduct, and he has since completed a chemical dependency treatment program and other self-help programs to help him overcome his addiction and other challenges.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Mr. Rivers' clemency petition, which included several letters of support from friends, family, and other community members. Former Supreme Court Justice Richard Sanders and King County Prosecuting Attorney Dan Satterberg both expressed strong support for Mr. Rivers.

WHEREAS, the testimony before the Board was that Mr. Rivers' advocate network will support him emotionally and help him transition to life outside of prison. His support includes promises to help Mr. Rivers secure employment, housing, transportation, as well as offers of general financial support.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Rivers' sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of *the* Clemency and Pardons Board and hereby COMMUTE Paul Rivers' sentence for his 1994 conviction for SECOND DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in an in-custody transition plan ending no later than June 1, 2017, that will include successful completion of a work release program. Following his release from custody, Mr. Rivers shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. Rivers will comply with any conditions set forth by DOC and its community corrections officers.

These conditions shall include, but not be limited to *the* following:

Mr. Rivers shall:

1. Obey all laws and follow standard DOC conditions for supervision;
2. Report as directed and be available for contact with DOC;
3. Abide by written or verbal instructions issued by DOC, and comply with all community custody conditions as directed by DOC;
4. Remain in a geographic area as directed by DOC;
5. Notify and receive prior approval from DOC for living arrangements and residence locations, as well as employment changes;
6. Obtain legal employment, but not be employed at any bars, taverns, or places where alcohol is a predominate feature in the business enterprise, as determined by DOC;
7. Participate on DOC work crews or in DOC programming as directed by his community corrections officer, if he is unable to find legal employment;
8. Obtain a drug and alcohol assessment from a certified provider and follow all treatment recommendations;
9. Abstain from using or possessing alcohol and drugs, including marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
10. Complete community stress and anger management programming to mitigate aggression;
11. Complete the *Thinking for a Change* and *Fare Start* programs, if he is eligible to enroll;
12. Not possess, receive, ship, or transport any explosive device, dangerous weapons, ammunition, or firearms;
13. Have no direct or indirect contact with any victims and/or their families;
14. Not associate with his co-defendants, known gang members, or individuals with criminal records, unless approved by DOC;
15. Report any contact with law enforcement, or arrests, to DOC within one business day of the incident;

PROVIDED, that Mr. Rivers shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody.

Violation of any of the above conditions shall result in sanctions as deemed appropriate by the DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Rivers is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Rivers to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Rivers if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Rivers violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Rivers will be immediately returned to any such facility as the Secretary of the DOC deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation will then be mailed to the most recent address Mr. Rivers has provided to the Office of the Governor or, if Mr. Rivers is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Rivers submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The

hearing officer will provide Mr. Rivers an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Rivers has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Rivers is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Rivers will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Rivers may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Rivers may abscond if not detained. If detained, Mr. Rivers will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11<sup>th</sup> day of December, A.D., two thousand and fifteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
ANDREW DONALD MICHELL**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1996, Andrew Donald Michell pleaded guilty to FIRST DEGREE BURGLARY, RESIDENTIAL BURGLARY, and three counts of FIRST DEGREE ROBBERY in Pierce County Superior Court, Cause No. 95-1-04964-0, after Mr. Michell, who as a 16-year old in 1995, drove accomplices to multiple residences to conduct robberies, and at one robbery site, one of Mr. Michell's accomplices assaulted two victims.

WHEREAS, Mr. Michell accepts full responsibility for his past conduct and expresses remorse. At the time of the crime, he was 16 years old. Since that time, the scientific and criminal justice communities have learned a significant amount about juvenile brain development and the difficulty juveniles have in engaging in behavior control, often leading to transient rashness, proclivity for risk, and inability to assess the full consequences of one's actions. For Mr. Michell, a psychological evaluation found that he suffered from serious clinical depression, and that he was emotionally immature for his age, such that his criminal activity

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reflected his difficulty in dealing with his anger and self-hatred rather than any development of criminal responsibility.

WHEREAS, since this crime, Mr. Michell earned his GED and completed many self-improvement programs. In 2001, after considering these factors, Governor Gary Locke commuted Mr. Michell's sentence nine months before his scheduled release.

WHEREAS, in March 2015, the Clemency and Pardons Board reviewed Mr. Michell's petition for a pardon, which included letters of support from numerous members of the community. Testimony before the Board was that since Mr. Michell was released from prison, he has done extensive volunteer work domestically and internationally. He has also received invitations to speak to different groups to share his story; but, some of these invitations require Mr. Michell to travel to countries that prohibit the entry of individuals with felony records.

WHEREAS, one of the victims in this case supports Mr. Michell's petition, and the other victims have not opposed it. And, the Clemency and Pardons Board did not oppose Mr. Michell's clemency petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Andrew Donald Michell this FULL AND UNCONDITIONAL pardon of his convictions for FIRST DEGREE BURGLARY, RESIDENTIAL BURGLARY, and three counts of FIRST DEGREE ROBBERY in Pierce County Superior Court, Cause No. 95-1-04964-0, so that he may share his story and volunteer in countries that currently bar his entry due to these felony convictions.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11<sup>th</sup> day of December, A.D., two thousand and fifteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
ERWIN LUIS LECAROS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2000, Erwin Luis Lecaros pleaded guilty to THIRD DEGREE ASSAULT- DOMESTIC VIOLENCE in King County Superior Court, Cause No. 00-1-07376-0 SEA, and was sentenced to 30 days in jail, with \$500 in legal financial obligations. This charge arose after Mr. Lecaros shoved and then struck his then-wife.

WHEREAS, Mr. Lecaros accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including paying off his legal financial obligations. He has also successfully completed a domestic violence batterers' treatment program.

WHEREAS, Mr. Lecaros is a Peruvian immigrant. In 2007, Mr. Lecaros became a legal U.S. resident. He also volunteers to assist U.S. Citizenship and Immigration Services with fraud detection investigations.

WHEREAS, in December 2014, the Clemency and Pardons Board reviewed Mr. Lecaros' clemency petition, which included numerous letters of support from family, friends, and members of the community. Testimony before the Board was that Mr. Lecaros was working as a certified nursing assistant at the time of this criminal offense; but, since then, he has been unable to secure permanent employment in that line of work due to this conviction. Instead, he has only been able to work in lower-paying professions, creating challenges for him as he raises his teenage daughter.

WHEREAS, the victim in this case fully supports Mr. Lecaros' clemency petition, and attended his hearing; and, the King County Prosecuting Attorney's Office has expressed that it does not oppose the petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Lecaros be granted a full pardon. The Board stressed that it believed that this criminal incident was an aberration, and that Mr. Lecaros will be in a better position to provide for his daughter and support her into her college years if he can find employment in more lucrative fields.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Erwin Luis Lecaros this FULL AND UNCONDITIONAL pardon of his conviction for THIRD DEGREE ASSAULT-DOMESTIC VIOLENCE, in King County Superior Court, Cause No. 00-1-07376-0 SEA.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11<sup>th</sup> day of December, A.D., two thousand and fifteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
LAURIE GEORGE FIDEE**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1989, Laurie George Fidee pleaded guilty to misdemeanor CRIMINAL ASSAULT in Tacoma Municipal Court, Cause No. A78246. He served three days in jail and paid \$260 in legal financial obligations. This conviction stemmed from an altercation between Mr. Fidee and his then-girlfriend.

WHEREAS, Mr. Fidee accepts responsibility for his conduct, and he has satisfied all the conditions of his judgment and sentence, including paying off the \$260 in legal financial obligations.

WHEREAS, Mr. Fidee has had no criminal convictions in 20 years. Following this incident, he married and now is raising four children. He also served 20 years in the United States Army, and has since retired after multiple combat deployments and earning the rank of Sergeant First Class.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Mr. Fidee's petition for a pardon. Mr. Fidee told the Board that this conviction has prevented him from being offered work as an armed security guard, a position for which he is otherwise qualified to serve.

WHEREAS, neither the Tacoma City Attorney, nor the victim in this case, expressed an opinion regarding Mr. Fidee's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Anderson be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Laurie George Fidee this FULL AND UNCONDITIONAL pardon of his conviction for misdemeanor CRIMINAL ASSAULT, in Tacoma Municipal Court, Cause No. A78246, so that he may fully pursue his professional goals and employment opportunities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
VERNELL TEYNAC HENNINGS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, Vernell Teynac Hennings was found guilty of SECOND DEGREE ROBBERY in December 1994, King County Superior Court Cause No. 94-1-04494-1. Mr. Hennings

had entered a video rental store with a screwdriver, approached the cashier, and demanded money. No one was physically harmed during the offense.

WHEREAS, this offense qualified Mr. Hennings as a "Three Strikes" persistent offender and resulted in a life sentence. His other strike offenses were also robberies.

WHEREAS, Mr. Hennings has not had any serious in-custody infractions since 2003, and is now considered a low risk to reoffend based on the Static Risk Assessment.

WHEREAS, Mr. Hennings accepts full responsibility for his past criminal conduct and expresses remorse. He earned his GED while in prison, and in 2003, he began attending Narcotics Anonymous and has since achieved sobriety.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Mr. Hennings' clemency petition, which included several letters of support from family and community members, including former Department of Corrections (DOC) Secretary Eldon Vail.

WHEREAS, King County Prosecuting Attorney Dan Satterberg also expressed strong support for Mr. Hennings, saying that Mr. Hennings' crime, if charged today, would have yielded a sentence less than five years.

WHEREAS, the testimony before the Board was that Mr. Hennings' family and friends will support him and help him transition to life outside of prison. Mr. Hennings' wife has visited him in prison hundreds of times over his incarceration and has committed to sheltering and emotionally supporting him during his transition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Hennings' sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Vernell Teynac Hennings' sentence for his 1994 conviction for SECOND DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in an in-custody transition plan ending October 1, 2017, that must include successful completion of a six month work-release program. Following his release from custody, Mr. Hennings shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. Hennings must comply with any conditions set forth by the DOC and its community corrections officers. These conditions shall include, but not be limited to the following:

Mr. Hennings shall:

1. Obey all laws and follow standard DOC conditions for supervision;
2. Report as directed in person by DOC as per its minimum contact standards or as otherwise determined

- by his CCO.
- 3. Abide by written or verbal instructions issued by DOC, and comply with all community custody conditions as directed by DOC;
- 4. Remain in a geographic area as directed by DOC and be subject to travel restrictions as determined by DOC;
- 5. Notify and receive prior approval from DOC for living arrangements and residence locations, within one business day of residence changes;
- 6. Obtain legal employment throughout the course of community supervision, unless in DOC approved intervention programming;
- 7. Participate in substance or chemical dependency treatment and follow program recommendations; if inpatient treatment is required, participate in it as the preferred option;
- 8. Not use alcohol or other controlled substances, and be subject to testing for alcohol or drugs, including marijuana, spice, or mind and mood altering drugs that are not prescribed by a licensed medical doctor;
- 9. Not visit bars or taverns, unless approved by DOC;
- 10. Enroll and complete the *Thinking for a Change* program;
- 11. Not possess, receive, ship, or transport any explosive device, dangerous weapons, ammunition, or firearms;
- 12. Report any contact with law enforcement, or arrests, to DOC within one business day of the incident;

PROVIDED, that Mr. Hennings shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hennings is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hennings to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hennings if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hennings violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hennings will be immediately returned to any such facility as the Secretary of the DOC deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hennings has provided to the Office of the Governor or, if Mr. Hennings is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hennings submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hennings an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Hennings has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hennings is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Hennings will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hennings may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Hennings may abscond if not detained. If detained, Mr. Hennings will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL

/s/Jay Insole  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
AISEN SENG BOUNTHONG**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1991, Aisen Seng Bounthong pleaded guilty to FIRST DEGREE ASSAULT in King County Superior Court, Cause No. 90-C-00195-9. He was sentenced to 8.5 years in jail, and \$6,466.72 in legal financial obligations. This charge arose after a then-18 year old Mr. Bounthong and his friends stole a car, and while Mr. Bounthong was driving, his friends fired multiple shots from the vehicle, striking a victim.

WHEREAS, Mr. Bounthong accepts responsibility for his conduct, and he has served his sentence and has so far paid off almost \$4,000 in legal financial obligations.

WHEREAS, following his release from prison in 1999, Mr. Bounthong has had no further criminal convictions. He is now married and has a four year old child. He succeeded in community custody, maintains steady employment, and by all accounts is a great father, husband, employee, and member of the community. He has been sober since 2008.

WHEREAS, in June 2015, the Clemency and Pardons Board reviewed Mr. Bounthong's petition for a pardon, which described Mr. Bounthong's difficult transition to America: he fled war-torn Laos as a 12 year old, spent time living in a refugee camp, and then lost his father at a young age, leaving him to raise his family. Because of this 25 year old conviction, Mr. Bounthong has a

"deportable" status, meaning he is eligible for deportation at any time.

WHEREAS, neither the King County Prosecuting Attorney or any victims oppose Mr. Bounthong's petition. The Clemency and Pardons Board voted unanimously to recommend that Mr. Bounthong be granted a full pardon, reasoning that Mr. Bounthong's deportation to Laos, where he has no connections and would be considered unfriendly by the current regime, would disrupt his family and leave his wife and child to support themselves.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Aisen Seng Bounthong this FULL AND UNCONDITIONAL pardon of his conviction for FIRST DEGREE ASSAULT, in KING County Cause No. 90-C-00195-9.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
MERCEDES MAPA SISON**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2004, Mercedes Mapa Sison pleaded guilty to THIRD DEGREE ASSAULT - DOMESTIC VIOLENCE, in Pierce County Superior Court, Cause No. 03-1-05991-1. She was sentenced to three days in jail and one year of community custody. She was also ordered to complete a domestic violence treatment program and pay \$710 in legal financial obligations. This charge arose after Ms. Sison and her then - husband had an altercation in their home and she accidentally stabbed him with a kitchen knife as he lunged at her.

WHEREAS, Ms. Sison accepts responsibility for her conduct, and she has satisfied all the conditions of her first-time offender judgment and sentence.

WHEREAS, this is the only conviction on Ms. Sison's record. At the time of this incident, she was a recent immigrant from the Philippines, and she had experienced physically and emotionally abusive relationships. She divorced her husband in 2004, and since then, she has served as the lone provider for her daughters.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Ms. Sison's petition for a pardon, which included numerous letters of support from members of the community. The

Board suggested that given the fact pattern involving her assault charge, Ms. Sison would likely have been able to raise an affirmative defense had she not opted to plead guilty. This conviction now prevents Ms. Sison from receiving State recognition as the legal caregiver to her disabled adult daughter.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Sison be granted a full pardon. The victim submitted a letter of support for Ms. Sison's petition, and the Pierce County Prosecutor does not oppose her petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Mercedes Mapa Sison this FULL AND UNCONDITIONAL pardon of her conviction for THIRD DEGREE ASSAULT-DOMESTIC VIOLENCE, in Pierce County Cause No. 03-1-05991-1, so that she may receive legal recognition as the caretaker for her disabled adult daughter.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
DANIEL LAURENCE HUNT**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1990, Daniel Laurence Hunt pleaded guilty to THIRD DEGREE THEFT in Spokane County Superior Court, Cause No. 90-1-01745-2 and was sentenced to 10 days in jail and a \$176 fine. This gross misdemeanor charge arose after Mr. Hunt participated as an accomplice in a non-violent theft of property owned by an acquaintance.

WHEREAS, Mr. Hunt accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence.

WHEREAS, Mr. Hunt has had no further convictions since 1990. He has maintained steady employment throughout his adult life and now works in law enforcement as a sergeant in the Blue Mound Police Department in Texas. This conviction on Mr. Hunt's record, though, limits his potential for advancement within his profession.

WHEREAS, in June 2015, the Clemency and Pardons Board reviewed Mr. Hunt's pardon petition, which included numerous letters of support from law enforcement personnel; and, the Office

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of the Spokane County Prosecuting Attorney does not oppose his petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Hunt be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Daniel Laurence Hunt this FULL AND UNCONDITIONAL pardon of his conviction for THIRD DEGREE THEFT, in Spokane County Cause No. 90-1-01745-2, so that he may fully pursue his professional goals and employment opportunities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
KENNY BUCK ANDERSON**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1993, a jury found Kenny Buck Anderson guilty of THIRD DEGREE ASSAULT in Franklin County Superior Court, Cause No. 93-1-50168-3. He was sentenced to 30 days in jail, with 27 of those days converted to community service, as well as \$975.75 in legal financial obligations. This charge arose after Mr. Anderson made physical contact with a security guard in the parking lot of a store following a brief confrontation.

WHEREAS, Mr. Anderson accepts responsibility for his conduct, and he has satisfied all the conditions of his judgment and sentence, including paying off the \$975.75 in legal financial obligations.

WHEREAS, this is the only conviction on Mr. Anderson's record. He has earned his associate's degree in nursing and has built a successful career as a paramedic and first responder. Mr. Anderson is currently enrolled in a bachelor's degree nursing program, but this conviction limits his career options in the medical nursing field.

WHEREAS, in June 2015, the Clemency and Pardons Board reviewed Mr. Anderson's petition for a pardon, which included numerous letters of support from professional colleagues and others. The Board questioned whether the fact pattern that resulted in this conviction should have ever been charged as a felony.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Anderson be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I,** Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Kenny Buck Anderson this FULL AND UNCONDITIONAL pardon of his conviction for THIRD DEGREE ASSAULT, in Franklin County Cause No. 93-1-50168-3, so that he may fully pursue his professional goals and employment opportunities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15<sup>th</sup> day of June, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
ROBERT JAMES KING**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, a jury found Robert James King guilty of ATTEMPTED SECOND DEGREE ASSAULT in 1997, Snohomish County Superior Court Cause No. 96-1-01035-3. Mr. King and a co-defendant had entered an apartment, tied up the apartment's occupants, and stolen cash and drugs. Exiting that apartment, Mr. King was confronted by police. During the confrontation with police, Mr. King unsuccessfully attempted to pull a firearm from his coat.

WHEREAS, this offense qualified Mr. King as a "Three Strikes" persistent offender and resulted in a life sentence.

WHEREAS, Mr. King has served almost 20 years on his sentence.

WHEREAS, Mr. King has had no serious infractions since 2000, and according to the Department of Corrections (DOC), at 63 years old, is considered a low risk to reoffend.

WHEREAS, Mr. King accepts full responsibility for his past criminal conduct and expresses remorse; he has apologized and paid all of his legal financial obligations. He has taken personal development courses in prison and has worked in numerous capacities there.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Mr. King's clemency petition, which included several letters of support from fellow inmates who describe the positive influence that Mr. King is on them. Also, Snohomish County

Prosecuting Attorney Mark Roe does not oppose Mr. King's petition, and no victims expressed any opposition.

WHEREAS, the testimony before the Board was that Mr. King's family and friends will support and help him transition to life outside of prison. Mr. King has received offers from family to live with them once he transitions out of custody.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. King's sentence.

WHEREAS, since his clemency hearing, Mr. King has been diagnosed with serious health issues and is undergoing significant medical treatment. Mr. King is already approved for Medicaid assistance upon his release. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Robert James King's sentence for his 1997 conviction for ATTEMPTED SECOND DEGREE ASSAULT, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan that includes immediate release from custody. Following his release from custody, Mr. King shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. King must comply with any conditions set forth by DOC and its community corrections officers (CCO). These conditions shall include, but not be limited to the following:**

Mr. King shall:

1. Obey all laws and abide by all written or verbal instructions issued by his CCO;
2. Be available for contact with his assigned CCO as directed, and consent to DOC home or hospital visits to monitor compliance with supervision. These visits include access for visual inspection of all areas of the residence in which Mr. King has exclusive or joint control or access.
3. Allow DOC staff unrestricted access to his residence or hospital room, to include the securing of dangerous animals.
4. Obtain written permission from his CCO before traveling outside his county of residence.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not own, possess, receive, ship, or transport firearms, ammunition or explosives.
7. Not possess body armor.
8. Not threaten, obstruct, or assault staff.
9. Comply with any facility rules and regulations.
10. Not consume, possess, or distribute controlled substances without a valid physician's prescription.
11. Be subject to search and seizure of person, residence, automobile, or other personal property if DOC finds reasonable cause to believe he has violated the conditions or requirements of his community supervision.

12. Enter into and successfully complete DOC programming and/or treatment as directed.

PROVIDED, that Mr. King shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. King is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. King to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. King if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. King violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. King will be immediately returned to any such facility as the Secretary of the DOC deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. King has provided to the Office of the Governor or, if Mr. King is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. King submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. King an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. King has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. King is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. King will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. King may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. King may abscond if not detained. If detained, Mr. King will be provided a preliminary hearing as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 12<sup>th</sup> day of September, A.D., two thousand and sixteen.

SEAL

/s/Jay Inslee



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Governor of Washington

**REVOCATION OF CONDITIONAL COMMUTATION  
OF  
JOSIAH MALIK RASHID**

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
FREDERICK STANLEY KUBASTA**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1951, Frederick Stanley Kubasta was found guilty of SECOND DEGREE BURGLARY in Island County Superior Court, Cause No. 1539, and was sentenced to 12 months in prison. This conviction arose after then-18-year old Mr. Kubasta and two associates entered an empty cabin and stole property and drank alcohol from the refrigerator.

WHEREAS, Mr. Kubasta accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgment and sentence.

WHEREAS, Mr. Kubasta has not been convicted of a crime in the 65 years since this conviction. He has raised two children and maintained steady employment throughout his adult life until retiring. This conviction on Mr. Kubasta's record, though, prevents him from traveling to Canada to visit his ailing 92-year old sister, who resides in Vancouver, British Columbia.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Mr. Kubasta's petition for a pardon. No victims objected to his petition, nor did the Island County Prosecuting Attorney.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Kubasta be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE**, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Frederick Stanley Kubasta this FULL AND UNCONDITIONAL pardon for his 1951 conviction for SECOND DEGREE BURGLARY in Island County Cause No. 1539.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10<sup>th</sup> day of October, A.D., two thousand and sixteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2012, Josiah Malik Rashid, a juvenile, was found guilty of FIRST DEGREE ROBBERY, RESIDENTIAL BURGLARY with a FIREARM ENHANCEMENT, and SECOND DEGREE UNLAWFUL FIREARM POSSESSION in King County Superior Court, Cause No. 11-C-02231-1, and sentenced to 87 total months of confinement, after he and his associates broke into an acquaintance's house and engaged in an armed robbery in March 2011.

WHEREAS, in September 2015, the Clemency and Pardons Board reviewed Mr. Rashid's clemency petition, which included several letters of support from Juvenile Rehabilitation Administration personnel, family, friends, and community members. Moreover, the King County Prosecuting Attorney's Office did not oppose Mr. Rashid's clemency petition.

WHEREAS, at his hearing, Mr. Rashid described the strong support network he had in place to help him successfully reintegrate into the community. He received offers for employment upon his release, and he had been offered a place to live. Additionally, Mr. Rashid had already been accepted into local colleges, where he intended to further his education.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Rashid's sentence prior to January 29, 2016, the date Mr. Rashid was scheduled to age out of the Juvenile Rehabilitation Administration and be transferred to DOC custody.

WHEREAS, at the time of his crime in 2011, Mr. Rashid was just 16 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, on November 10, 2015, I granted Mr. Rashid a commutation, conditioned on Mr. Rashid's compliance with numerous defined terms. These conditions required Mr. Rashid to, among other things, obey all laws and follow all DOC conditions and orders issued by his community corrections officer. Prior to receiving this commutation, Mr. Rashid agreed to its terms in writing.

WHEREAS, on March 21, 2016, Mr. Rashid failed to report a change of employment. And on March 23, 2016, Mr. Rashid failed to report as directed by his community corrections officer. Following an April 1, 2016, hearing, a DOC hearings officer found that these actions violated the terms of his community supervision. I reviewed these alleged violations of his Conditional Commutation but declined to pursue a revocation at that time. Instead, I ordered DOC to review Mr. Rashid's transition plan to adjust it to improve his chances to successfully reintegrate into the community.

WHEREAS, on August 9, 2016, following a physical dispute at the home of the mother of his months-old child, as police were detaining Mr. Rashid, he hit and damaged a police vehicle. Following an August 23, 2016, hearing, a DOC hearings officer

found that this action violated the terms of his community supervision.

WHEREAS, DOC reports state that Mr. Rashid has experienced a "difficult time adjusting to supervision," and has been "unable to succeed in living a productive and crime free lifestyle," citing his continuous contacts with police and arrests for domestic-violence related incidents. His conduct has resulted in multiple violations of his community supervision.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington under RCW 10.01.120, revoke Mr. Rashid's conditional commutation.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 28<sup>th</sup> day of October, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Kim Wyman  
Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
APRIL LARREE GIPSON**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1992, April Larree Gipson was found guilty of SECOND DEGREE ROBBERY in King County Superior Court, Cause No. 92-C-04068-5. This conviction occurred after Ms. Gipson, along with four others, visited a home and aimed a gun at two of the residents of that home, demanding that the residents turn over a telephone.

WHEREAS, Ms. Gipson accepts full responsibility for her role in this matter and expresses remorse. She has satisfied all the conditions of her judgment and sentence, including serving 135 days in jail and paying over \$1,200 in legal financial obligations.

WHEREAS, Ms. Gipson is a single mother to six children. She works as a licensed practical nurse, and desires to advance in her nursing career by becoming a hospice nurse. She volunteers extensively in her community, through her church and the Boys & Girls Club.

WHEREAS, in August 2003, Ms. Gipson obtained a certificate of rehabilitation from King County Superior Court.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Ms. Gipson's petition for a pardon. Testimony at the hearing explained that in her role as a nurse, Ms. Gipson is limited in the work she can do. She estimates that, over her career, this conviction's presence on her record has cost her at least eight job opportunities. It also precludes her from attending school field trips with her family.

WHEREAS, the King County Prosecuting Attorney's Office enthusiastically supports Ms. Gipson's petition. The victims have not expressed any opposition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Gipson be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to April Larree Gipson this FULL AND UNCONDITIONAL pardon for her 1992 conviction for SECOND DEGREE ROBBERY in King County Cause No. 92-C-04068-5.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 28<sup>th</sup> day of October, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
JOSEPH MARTIN KING**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2000, Joseph Martin King was found guilty of SECOND DEGREE ASSAULT in Spokane County Superior Court, Cause No. 00-1-00271-9, and was sentenced to 6 months in jail and 12 months of probation. This conviction arose after Mr. King threw chairs and lunged at his ex-wife with a knife.

WHEREAS, Mr. King accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgment and sentence, completed courses in anger management, and has had no criminal convictions since 2007.

WHEREAS, Mr. King has attained his bachelor's and master's degrees. He is currently pursuing his doctorate, but many potential employers will not hire him because of his record.

WHEREAS, in March 2016, the Clemency and Pardons Board reviewed Mr. King's petition for a pardon. The Spokane Prosecuting Attorney and Spokane County Sheriff both support Mr. King's petition. No victims objected to his petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. King be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Joseph Martin King this FULL AND UNCONDITIONAL pardon for his 2000 conviction for SECOND DEGREE ASSAULT in Spokane County Cause No. 00-1-00271-9.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 20<sup>th</sup> day of December, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
REBEKAH GERMAINE CLEMENT-MAINE**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1998, Rebekah Germaine Clement-Maine was found guilty of two counts of FOURTH DEGREE ASSAULT in Cowlitz County District Court, Cause Nos. C00095285 and C00094064. These misdemeanor convictions arose after Ms. Clement-Maine was twice involved in domestic violence disputes in her home with her then-husband.

WHEREAS, Ms. Clement-Maine accepts full responsibility for her role in these two instances and expresses remorse. She has satisfied all the conditions of her judgment and sentence.

WHEREAS, Ms. Clement-Maine has been sober for over 17 years. She has raised a family and works as a caretaker, providing elder care nursing services to various clients. These are the only convictions on Ms. Clement-Maine's record.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Ms. Clement-Maine's petition for a pardon. Testimony at the hearing explained that in her role as a nurse, Ms. Clement-Maine is subject to recurring background checks and must disclose these domestic violence assault convictions to each new potential client. The convictions preclude her from working in nursing homes or working directly for the Washington Department of Social and Health Services.

WHEREAS, the Cowlitz County Prosecuting Attorney's Office has not expressed any opposition to Ms. Clement-Maine's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Clement-Maine be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Rebekah Germaine Clement-Maine this FULL AND UNCONDITIONAL pardon for her two 1998 convictions for FOURTH DEGREE ASSAULT in Cowlitz County Cause Nos. C00095285 and C00094064.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 20<sup>th</sup> day of December, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
JANE ELLEN ADAMS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1994, Jane Ellen Adams pleaded guilty to MISDEMEANOR THEFT in Benton County District Court, Cause No. K62423. This conviction stemmed from an incident in which Ms. Adams, then 19 years old, shoplifted \$200 worth of merchandise from a Kennewick craft store.

WHEREAS, Ms. Adams accepts full responsibility for her past conduct and expresses remorse. She has paid her legal financial obligations. Also, in the 22 years since this offense, Ms. Adams has not been involved in any criminal conduct.

WHEREAS, since this incident, Ms. Adams has enjoyed steady employment. She has pursued her education, earning associate's, bachelor's, and master's degrees. She is now pursuing a doctorate degree, with hopes of becoming a university professor.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Ms. Adams' clemency petition, which included letters of support and a personal statement that demonstrates her commitment to her giving back to her community. Testimony before the Board was that Ms. Adams seeks this pardon in order to improve her current employment opportunities and also to allow her to begin a career in higher education.

WHEREAS, neither the victim in this matter nor the Benton County Prosecutor's Office has expressed any opposition to Ms. Adams' clemency petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jane Ellen Adams this FULL AND UNCONDITIONAL**

pardon of her conviction for MISDEMEANOR THEFT, in Benton County District Court, Cause No. K62423.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 20<sup>th</sup> day of December, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
GREGORY FIORE CLEMENTZ**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1995, Gregory Fiore Clementz pleaded guilty to OBSTRUCTION OF A LAW ENFORCEMENT OFFICER in Pierce County District Court, Cause No. 95C002582. This conviction stemmed from an incident in which Mr. Clementz, then 19 years old, lied to law enforcement to assist a hiding friend who had a warrant out for his arrest.

WHEREAS, Mr. Clementz accepts full responsibility for this conduct and expresses remorse. He has paid his legal financial obligations. Also, since 1995, Mr. Clementz has not been convicted of any crimes.

WHEREAS, between 2009 and 2014, Mr. Clementz served his country in the Army National Guard as a helicopter mechanic. He has also pursued his education, earning bachelor's and master's degrees. He is now seeking to become a military chaplain in the United States Air Force.

WHEREAS, over the past two decades, Mr. Clementz has devoted himself to his community, volunteering and counseling and mentoring others.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Mr. Clementz's clemency petition, which included a letter from the United States Air Force explaining that the Air Force Recruiting Service Chaplain Corps requires that an applicant's criminal convictions be expunged or pardoned before that applicant may be deemed qualified to apply for the program.

WHEREAS, the Pierce County Prosecuting Attorney's Office does not oppose Mr. Clementz's petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Gregory Fiore Clementz this FULL AND UNCONDITIONAL pardon of his conviction for OBSTRUCTION OF A LAW ENFORCEMENT AGENT, in Pierce County District Court, Cause No. 95C002582.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 20<sup>th</sup> day of December, A.D., two thousand and sixteen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**FULL AND UNCONDITIONAL PARDON  
OF  
CHAO XING CHEN**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2002, Chao Xing Chen was found guilty of FIRST DEGREE ASSAULT, FOURTH DEGREE ASSAULT, SECOND DEGREE UNLAWFUL FIREARM POSSESSION, and FELONY HARASSMENT in King County Superior Court, Cause No. 01-1-00349-2, and was sentenced to 180 months in prison and \$500 in legal financial obligations. This conviction arose after Mr. Chen, in 2001, confronted his ex-girlfriend with a knife, held her throat and threatened to kill her; days later, he approached her with a handgun, and as she drove away, he shot at her, missing her vehicle.

WHEREAS, Mr. Chen accepts full responsibility for his conduct and expresses remorse. He has satisfied all the conditions of his judgment and sentence, serving as a model prisoner for over 13 years.

WHEREAS, Mr. Chen's family immigrated to the United States from China when he was 12 years old.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Mr. Chen's petition for a pardon. Testimony at the hearing explained that Mr. Chen is on an immigration hold at a federal detention center, and these felonies on his record make him deportable to China, where he has no familial connections and does not speak the language. A pardon would give him a stronger chance to fight his deportation.

WHEREAS, the King County Prosecuting Attorney does not oppose Mr. Chen's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Chen be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Chao Xing Chen this FULL AND UNCONDITIONAL pardon for his 2002 convictions for FIRST DEGREE ASSAULT, FOURTH DEGREE ASSAULT, SECOND DEGREE**

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UNLAWFUL FIREARM POSSESSION, and FELONY HARASSMENT in King County Cause No. 01-1-00349-2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 20<sup>th</sup> day of December, A.D., two thousand and sixteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**CONDITIONAL COMMUTATION  
OF  
LE'TAXIONE**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1998 Le'Taxione (Ernest A. Carter) was found guilty of two counts of FIRST DEGREE ROBBERY, Pierce County Superior Court Cause No. 97-1-04547-1. In 1997, Le'Taxione entered and then, pretending he had a weapon, held up a Tacoma Subway, before then holding up an AM/PM. Between these two robberies, Le'Taxione took roughly \$200 from the cashiers.

WHEREAS, this offense qualified Le'Taxione as a "Three Strikes" persistent offender and resulted in a life sentence. In addition to this conviction, Le'Taxione was convicted of assaulting a police officer in California in 1983, and also attempted murder with a firearm in 1990 in Oregon.

WHEREAS, Le'Taxione has served almost 20 years on his sentence.

WHEREAS, Le'Taxione accepts full responsibility for his past criminal conduct and expresses remorse. While in prison, he has taken personal development courses, and he has earned his GED. He has not had a serious infraction in six years, and he now commits much of his time to mentoring young incarcerated individuals, helping them to transition out of gang activity.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Le'Taxione's clemency petition, which included several letters of support and certificates demonstrating the programming that he has completed while incarcerated. Also, no victims expressed any opposition to Le'Taxione's petition.

WHEREAS, the testimony before the Board was that Le'Taxione is erroneously classified as a persistent offender because the law on comparable out-of-state offenses has evolved since his conviction; and, his earlier conviction in California, under today's law, would not be considered comparable to a Washington strike offense. But he is time-barred from correcting his sentence because his former attorney failed to timely challenge the legality of it.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Le'Taxione's sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee**, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Le'Taxione's sentence for his 1998 conviction for two counts of FIRST DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Le'Taxione will be released from prison no later than January 1, 2018. During this period, Le'Taxione must complete DOC-recommended chemical dependency treatment and employment or vocational programming. And during his last six months in custody, Le'Taxione must successfully complete a DOC-approved work release program. Following his release from custody, Le'Taxione shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Le'Taxione must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Le'Taxione shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Be available for contact with DOC and his assigned CCO as directed, and consent to DOC home or hospital visits and or searches, to also include searches of his person or automobiles, to monitor compliance with supervision. These visits must include access for visual inspection of all areas of the residence in which Le'Taxione has exclusive or joint control or access, and includes the securing of dangerous animals.
3. Obtain legal verifiable employment or enroll in educational programming, and report it to his CCO.
4. Obtain written permission from his CCO before traveling outside his county of residence.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons. He may not possess body armor.
7. Report to his CCO all law enforcement contacts within 24 hours of occurrence.
8. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
9. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from his CCO.
10. Obtain a Narcotics Anonymous sponsor and attend regular meetings as recommended by his CCO.
11. Obtain a chemical dependency evaluation and follow all treatment recommendations.
12. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
13. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting his CCO.

14. Enroll in, and successfully complete DOC's Thinking for a Change program and any other programming or treatment as directed by DOC.

PROVIDED, that Le'Taxione shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Le'Taxione is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Le'Taxione to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Le'Taxione if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Le'Taxione violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Le'Taxione will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Le'Taxione has provided to the Office of the Governor or, if Le'Taxione is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Le'Taxione submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Le'Taxione an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Le'Taxione has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Le'Taxione is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Le'Taxione will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Le'Taxione may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Le'Taxione may abscond if not detained. If detained, Le'Taxione will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 21<sup>st</sup> day of December, A.D., two thousand and sixteen.

SEAL

/s/Jay Inlee

Governor of Washington

BY THE GOVERNOR

/s/Mark Neary

Asst. Secretary of State

**CONDITIONAL COMMUTATION  
OF  
GARY MELBERT THOMAS**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1999 Gary Melbert Thomas was found guilty of five counts of SECOND DEGREE ROBBERY, King County Superior Court Cause No. 98-1-06914-3. In 1998, an unarmed Mr. Thomas entered several Seattle-area banks, each time threatening the tellers and demanding cash.

WHEREAS, this offense qualified Mr. Thomas as a "Three Strikes" persistent offender and resulted in a life sentence. In addition to this conviction, Mr. Thomas has been convicted of multiple robberies and a burglary, dating back to the early 1970s.

WHEREAS, Mr. Thomas has served almost **18** years on this matter.

WHEREAS, Mr. Thomas accepts full responsibility for his past criminal conduct and expresses remorse. He has taken personal development courses in prison, and he now teaches art classes to individuals as part of the University Behind Bars program.

WHEREAS, much of Mr. Thomas' past criminal behavior resulted from his 30-year addictions to heroin and crack cocaine; he has now been sober for 10 years, after completing several sobriety and re-integration programs. Mr. Thomas is now almost 70 years old and is suffering from stage-four liver disease as well as a chronic heart condition.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Mr. Thomas' clemency petition, which included several letters of support and certificates demonstrating the programming that he has completed while incarcerated.

WHEREAS, the testimony before the Board was that Mr. Thomas has been provisionally accepted for a one-year stay at Seadrunar, a long-term residential drug and alcohol treatment center in Seattle, upon his release from custody. There, while undergoing intensive substance abuse treatment, he will also receive vocational training and life coaching assistance.

WHEREAS, the King County Prosecuting Attorney supports Mr. Thomas' clemency petition. The victims of his crimes have not expressed any opposition to Mr. Thomas' petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Thomas' sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of

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the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Mr. Thomas' sentence for his 1999 conviction on five counts of SECOND DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Thomas will be released from prison no later than January 1, 2018. Before his release, he must complete employment or vocational programs, or other DOC-recommended programs aimed at preparing him for transition to the community. At a point during the last six months of custody, Mr. Thomas shall complete a work-release assignment. Following his release from custody, Mr. Thomas shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. Thomas must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Mr. Thomas shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Participate in a treatment assessment and follow DOC treatment recommendations and instructions. He must complete recommended treatment programming at Seadrunar.
3. Be available for contact with DOC and his assigned CCO as directed, and consent to DOC home or hospital visits and or searches to monitor compliance with supervision. These visits include access for visual inspection of all areas of the residence in which Mr. Thomas has exclusive or joint control or access.
4. Obtain legal employment or enroll in educational programming, upon approval of his residence treatment provider and/or completion of his treatment.
5. Obtain written permission from his CCO before traveling outside his county of residence.
6. Obtain permission from his CCO before changing residences, even for one night.
7. Not open a bank account or enter a bank without consulting his CCO and having a verifiable legitimate reason.
8. Be subject to polygraph testing as required by his CCO.
9. Not own, possess, receive, ship, or transport firearms, ammunition or dangerous weapons.
10. Report to his CCO all law enforcement contacts within 24 hours of occurrences.
11. Not consume, possess, or distribute controlled substances without a valid physician's prescription.
12. Not visit bars and taverns, unless he receives approval from his CCO.
13. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
14. Not associate with known criminals, gangs or individuals that have a criminal history without first consulting his CCO.
15. Enroll and successfully complete DOC's Thinking for a Change program, as well as other DOC programming as recommended by his CCO.

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PROVIDED, that Mr. Thomas shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Thomas is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Thomas to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Thomas if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Thomas violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Thomas will be immediately returned to any such facility as the Secretary of the DOC deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Thomas has provided to the Office of the Governor or, if Mr. Thomas is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Thomas submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Thomas an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Thomas has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Thomas is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Thomas will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Thomas may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Thomas may abscond if not detained. If detained, Mr. Thomas will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 21<sup>st</sup> day of December, A.D., two thousand and sixteen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

**CONDITIONAL COMMUTATION  
OF  
TRACY HOGGATT**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1996, Tracy Lynn Hoggatt was found guilty of FIRST DEGREE BURGLARY and BAIL JUMPING in Cowlitz County Superior Court Cause Nos. 95- 1-00539-7 and 96-1-00036-9. In 1995, Mr. Hoggatt, while armed, broke into a victim's home to steal their property when they were out of the house.

WHEREAS, this burglary conviction was Mr. Hoggatt's "Third Strike" offense under Washington's persistent offender statute, and he was sentenced to life without the possibility of parole.

WHEREAS, Mr. Hoggatt accepts full responsibility for his past criminal conduct and expresses remorse. While in prison, he has taken steps to turn his life around and developed a strong sense of empathy. He has completed numerous personal development programs. And though he collected numerous infractions early in his prison sentence, he has not had a serious infraction since 2004.

WHEREAS, in March 2016, the Clemency and Pardons Board reviewed Mr. Hoggatt's clemency petition, which included several letters of support from friends, family, and supporters in the community.

WHEREAS, the testimony before the Board was that if Mr. Hoggatt were to be sentenced today, he would receive a sentence in the standard range of less than ten years. Also, a friend has offered to help him transition to the community by providing a place to live.

WHEREAS, the Cowlitz County Prosecuting Attorney has expressed no opposition to Mr. Hoggatt's petition. And the victims have not expressed any opposition to the petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Hoggatt's sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE**, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Tracy Lynn Hoggatt's sentence for his 1996 conviction for FIRST DEGREE BURGLARY and BAIL JUMPING in Cowlitz County Superior Court Cause Nos. 95-1-00539-7 and 96-1-00036-9, conditioned on his written agreement

to comply with all terms outlined by the DOC in a transition plan in which Mr. Hoggatt will be released from prison on August 1, 2018. During his last six months in custody, Mr. Hoggatt must successfully complete a DOC-approved work release program. Following his release from custody, Mr. Hoggatt shall serve 18 months of DOC community supervision. During this period under DOC custody and supervision, Mr. Hoggatt must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Mr. Hoggatt shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Complete a treatment assessment and follow recommendations resulting from that assessment.
3. Be available for regular contact with DOC and his assigned CCO as directed, and consent to DOC home visits and or searches, to include searches of his person or automobiles. These visits must include access for visual inspection of all areas of the residence in which Mr. Hoggatt has exclusive or joint control or access.
4. Enroll in educational programming or obtain legal, verifiable CCO-approved employment.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not travel outside of his county of residence without prior written approval from his CCO.
7. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons.
8. Not possess stolen property.
9. Not operate a motor vehicle without a valid driver license and proper insurance.
10. Report to his CCO all law enforcement contacts within 24 hours of occurrence.
11. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
12. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from his CCO.
13. Obtain an Alcoholics Anonymous/Narcotics Anonymous sponsor and attend regular meetings as recommended by his CCO.
14. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
15. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting his CCO.
16. Enroll in, and successfully complete DOC's Thinking for a Change program and any other programming or treatment as directed by DOC.

PROVIDED, that Mr. Hoggatt shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hoggatt is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hoggatt to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hoggatt if he violates a condition.



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ADDITIONALLY PROVIDED, that in the event Mr. Hoggatt violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hoggatt will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hoggatt has provided to the Office of the Governor or, if Mr. Hoggatt is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hoggatt submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hoggatt an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Hoggatt has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hoggatt is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Hoggatt will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hoggatt may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Hoggatt may abscond if not detained. If detained, Mr. Hoggatt will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 16<sup>th</sup> day of January, A.D., two thousand and seventeen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
SHAWN ORNDORFF**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 2002, a jury found Shawn Anthony Orndorff guilty of FIRST DEGREE BURGLARY, SECOND DEGREE ASSAULT OF A CHILD, UNLAWFUL FIREARMS POSSESSION, and two counts of SECOND DEGREE ASSAULT in Kitsap County Superior Court Cause No. 02-1-00860-5. In 2002, Mr. Orndorff broke into a family's home while armed, and he assaulted multiple victims. For this offense, Mr. Orndorff was sentenced to over 22 years in prison and almost \$3,000 in legal financial obligations.

WHEREAS, Mr. Orndorff has served over 14 years on his sentence, and he has paid his legal financial obligations in full.

WHEREAS, Mr. Orndorff accepts full responsibility for his past criminal conduct and expresses remorse. While in prison, he has earned his associate's degree, and has pursued vocational training. He has not had a serious infraction in over ten years.

WHEREAS, in March 2016, the Clemency and Pardons Board reviewed Mr. Orndorff's clemency petition, which included several letters of support from friends, fellow incarcerated individuals, and members of the community, including a former prison corrections officer.

WHEREAS, the testimony before the Board was that Mr. Orndorff is trained in welding and fabrication and plans to become an industrial machine mechanic upon release. He has eight children and five grandchildren, and he plans to marry when he is released.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Orndorff's sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Shawn Anthony Orndorff's sentence for his 2002 conviction for FIRST DEGREE BURGLARY, SECOND DEGREE ASSAULT OF A CHILD, UNLAWFUL FIREARMS POSSESSION, and two counts of SECOND DEGREE ASSAULT in Kitsap County Superior Court Cause No. 02-1-00860-5, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Orndorff will be released from prison on August 1, 2018. During his last six months in custody, Mr. Orndorff must successfully complete a DOC- approved work release program. Following his release from custody, Mr. Orndorff shall serve 18 months of DOC community supervision. During this period under DOC custody and supervision, Mr. Orndorff must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:**

- Mr. Orndorff shall:
1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.

2. Be available for contact with DOC and his assigned CCO as directed, and consent to DOC home visits and or searches, to include searches of his person or automobiles. These visits must include access for visual inspection of all areas of the residence in which Mr. Orndorff has exclusive or joint control or access.
3. Obtain legal verifiable employment or enroll in educational programming, and report it to his CCO.
4. Obtain written permission from his CCO before traveling outside his county of residence.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons. He may not possess body armor.
7. Report to his CCO all law enforcement contacts within 24 hours of occurrence.
8. Not consume, possess, or distribute alcohol, marijuana, or other controlled substances without a valid physician's prescription.
9. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from his CCO.
10. Obtain a chemical dependency evaluation and follow all treatment recommendations.
11. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
12. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting his CCO.
13. Not operate a motor vehicle without a valid driver's license or proper insurance.
14. Enroll in, and successfully complete DOC's Thinking for a Change program and any other programming or treatment as directed by DOC.

PROVIDED, that Mr. Orndorff shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Orndorff is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require

Mr. Orndorff to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Orndorff if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Orndorff violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Orndorff will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Orndorff has provided to the Office of the Governor or, if Mr. Orndorff is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Orndorff submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Orndorff an

opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Orndorff has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Orndorff is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Orndorff will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Orndorff may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Orndorff may abscond if not detained. If detained, Mr. Orndorff will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 18<sup>th</sup> day of January, A.D., two thousand and seventeen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
DAVID MICHAEL SHIRLEY**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1996 a jury found David Michael Shirley guilty on two counts of FIRST DEGREE ASSAULT, Snohomish County Superior Court Cause No. 96-1-00306-3. In 1993, Mr. Shirley drove down a highway with an associate of his, and when they identified a car that they believed was driven by an individual who had earlier vandalized their car, Mr. Shirley's associate fired a gun at the other car, striking the driver in the arm.

WHEREAS, for this offense, a Snohomish County Superior Court sentenced Mr. Shirley to 33 years in prison. He has since served 23 years in custody on this offense.

WHEREAS, between 1994 and 2008, Mr. Shirley received 30 serious infractions for matters involving controlled substances and threats, but he has not had any serious infractions since 2008.

WHEREAS, Mr. Shirley accepts full responsibility for his criminal conduct, expresses remorse, and has apologized. While in custody, he has completed several programs, including drug

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counseling; he has also earned his GED and is taking college courses.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Mr. Shirley's clemency petition, which included several letters of support, including letters from corrections center staff who spoke to the positive change that they have witnessed in Mr. Shirley, as well as the strong influence that he has had on other incarcerated individuals.

WHEREAS, the testimony before the Board was that Mr. Shirley has a strong family support base and, upon release from custody, they have committed to providing him housing, transportation, and employment to help him transition to the community. Mr. Shirley has crafted a 10-year release plan detailing his plans reintegrating to society.

WHEREAS, the Snohomish County Prosecuting Attorney does not oppose Mr. Shirley's clemency petition. The victims of this offense have not expressed any opposition to Mr. Shirley's petition.

WHEREAS, the Department of Corrections has assessed Mr. Shirley and believes he is a low risk to reoffend.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Shirley's sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Mr. Shirley's sentence for his 1996 conviction for two counts of FIRST DEGREE ASSAULT, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Shirley will be released from prison no later than January 1, 2018. During this last year of custody, Mr. Shirley shall complete a work-release assignment. Following his release from custody, Mr. Shirley shall serve 24 months of community custody under DOC supervision. During this period under DOC custody and supervision, Mr. Shirley must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:**

Mr. Shirley shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Participate in a chemical dependency evaluation and follow DOC-recommended treatment.
3. Be available for contact with DOC and his assigned CCO as directed, and consent to DOC home or hospital visits and or searches to monitor compliance with supervision. These visits include access for visual inspection of all areas of the residence in which Mr. Shirley has exclusive or joint control or access.
4. Obtain legal employment or enroll in educational programming, and report it to his CCO.

5. Obtain written permission from his CCO before traveling outside his county of residence.
6. Obtain permission from his CCO before changing residences, even for one night.
7. Be subject to polygraph testing as required by his CCO.
8. Not own, possess, receive, ship, or transport firearms, ammunition or dangerous weapons.
9. Not receive income from illegal or criminal means.
10. Report to his CCO all law enforcement contacts within 24 hours of occurrences.
11. Not consume, possess, or distribute controlled substances without a valid physician's prescription.
12. Not visit bars and taverns, unless he receives approval from his CCO.
13. Obtain a Narcotics Anonymous sponsor and attend regular meetings as recommended by his CCO.
14. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
15. Not associate with known criminals, gangs or individuals that have a criminal history without first consulting his CCO.
16. Enroll in, and successfully complete, anger management programming as well as DOC's Thinking for a Change program.

PROVIDED, that Mr. Shirley shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Shirley is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Shirley to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Shirley if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Shirley violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Shirley will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Shirley has provided to the Office of the Governor or, if Mr. Shirley is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Shirley submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Shirley an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Shirley has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Shirley is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be

revoked and the sentence of the court reinstated, whereupon Mr. Shirley will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Shirley may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Shirley may abscond if not detained. If detained, Mr. Shirley will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 18<sup>th</sup> day of January, A.D., two thousand and seventeen.

SEAL

/s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Greg Lane  
Deputy Secretary of State

**CONDITIONAL COMMUTATION  
OF  
JACQUELINE MARIE FLETCHER**

**To All to Whom These Presents Shall Come, Greetings:**

WHEREAS, in 1996, a jury found Jacqueline Marie Fletcher guilty of five counts of SECOND DEGREE ROBBERY in Snohomish County Superior Court, Cause No. 96-1-00379-9, after she entered and then robbed numerous Snohomish County business establishments over a two-week period. These convictions resulted in her "Third Strike" under Washington's persistent offender accountability act; accordingly, Ms. Fletcher is serving a life sentence, without the possibility of parole.

WHEREAS, Ms. Fletcher is remorseful, accepts responsibility, and has apologized for her behavior. While in prison, Ms. Fletcher has earned her GED and has participated in several self-improvement programs, including Narcotics Anonymous.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Ms. Fletcher's clemency petition, which included several letters of support from friends and community members.

WHEREAS, the testimony before the Board was that Ms. Fletcher will have a strong support network ready to assist her in transitioning to the community. She has already received offers for housing and transportation upon her release and hopes to complete her college work to become a counselor and life coach.

WHEREAS, had Ms. Fletcher not been sentenced under the persistent offender accountability act, she likely would have received a standard range sentence of less than ten years. She has now served over 20 years on this sentence.

WHEREAS, the Snohomish County Prosecuting Attorney's Office does not oppose Ms. Fletcher's petition, nor do any of the victims.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Ms. Fletcher's life sentence. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

**NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor**

of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Jacqueline Marie Fletcher's sentence for her five 1996 convictions for SECOND DEGREE ROBBERY, conditioned on her agreement to comply with all terms outlined by the Department of Corrections in a transition plan. Under this transition plan, the initial in-custody phase of her transition must terminate on August 1, 2018, and during this time, Ms. Fletcher must participate in positive programming as assigned by DOC to prepare her for transition to the community. Ms. Fletcher will then serve an additional 18 months on community supervision. During her time in custody and on community supervision, Ms. Fletcher will comply with any conditions set by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Ms. Fletcher shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or her CCO.
2. Complete a treatment assessment and follow recommendations resulting from that assessment.
3. Be available for regular contact with DOC and her assigned CCO as directed, and consent to DOC home visits and searches, to include searches of her person, personal property, or automobiles. These visits must include access for visual inspection of all areas of the residence in which Ms. Fletcher has exclusive or joint control or access.
4. Enroll in educational programming or training, or obtain legal, verifiable CCO- approved employment.
5. Obtain permission from her CCO before changing residences, even for one night.
6. Remain in a geographical area as directed by her CCO, and not travel outside of her county of residence without her CCO's prior written approval.
7. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons.
8. Not possess stolen property.
9. Not operate a motor vehicle without a valid driver license and proper insurance.
10. Report to her CCO all law enforcement contacts within 24 hours of occurrence.
11. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
12. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless she receives approval from her CCO.
13. Be subject to regular drug urinalysis and alcohol breath analysis as directed by her CCO.

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- 14. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting her CCO.
- 15. Enroll in, and successfully complete DOC's Thinking for a Change program and any other programming or treatment as directed by DOC.

PROVIDED, that Ms. Fletcher shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Fletcher is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Fletcher to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Fletcher if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Fletcher violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Fletcher will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Fletcher has provided to the Office of the Governor or, if Ms. Fletcher is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Fletcher submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Ms. Fletcher an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Ms. Fletcher has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Fletcher is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Fletcher will be immediately returned to any such facility that the DOC Secretary deems appropriate:

ADDITIONALLY PROVIDED, that Ms. Fletcher may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe she has violated the above conditions of this Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Fletcher may abscond if not detained. If detained, Ms. Fletcher will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe she has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 30<sup>th</sup> day of January, A.D., two thousand and seventeen.

SEAL /s/Jay Inslee  
Governor of Washington

BY THE GOVERNOR

/s/Mark Neary  
Asst. Secretary of State

MOTION

On motion of Senator Fain, and without objection, the pardons and commutations by the Governor were held at the desk.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 13, 2017

MR. PRESIDENT:  
The House has passed:

SUBSTITUTE HOUSE BILL NO. 1079,  
SUBSTITUTE HOUSE BILL NO. 1121,  
and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5079.

MOTION

On motion of Senator Fain, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5804 by Senators Fain, Palumbo, Bailey and Billig  
AN ACT Relating to the creation of an animal abuse registry; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5805 by Senators Frockt and Carlyle  
AN ACT Relating to the application of landmark or historic preservation regulations with regard to school district property; and amending RCW 28A.335.090.

Referred to Committee on Early Learning & K-12 Education.

SB 5806 by Senators Cleveland, Rivers, Wilson, Hobbs, Chase and Nelson

AN ACT Relating to preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river; amending RCW 43.157.030; reenacting and amending RCW 43.157.010; adding a new section to chapter 43.157 RCW; adding a new section to chapter 47.01 RCW; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

SB 5807 by Senator King

AN ACT Relating to clarifying vehicle registration for vehicles that are not owned or leased by the governing body of an Indian tribe; amending RCW 46.16A.175; reenacting and amending RCW 46.16A.030; and prescribing penalties.

Referred to Committee on Transportation.

SB 5808 by Senators Warnick, Chase, Walsh, Brown, Becker, Short and Bailey

AN ACT Relating to agritourism; and adding a new chapter to Title 15 RCW.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:04 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon Tuesday, February 14, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate