



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

DECISION AND REASONS

NAME: SMITH, Streaty
DOC #: 287506
FACILITY: Coyote Ridge Corrections Center (CRCC)
TYPE OF HEARING: .100 Hearing
HEARING DATE: May 17, 2017
PANEL MEMBERS: JP & KR
FINAL DECISION DATE: May 31, 2017

This matter came before Jeff Patnode and Kecia Rongen, who are members of the Indeterminate Sentence Review Board (ISRB or the Board), on the above date for a release hearing in accordance with the provisions of RCW 9.95.100. Mr. Smith appeared in person and was represented by attorney Jason Couey. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Phillip Cook and Mr. Smith.

BOARD DECISION:

This was a Deferred Decision. Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and the totality of evidence and information considered by the Board, the Board finds that Mr. Smith is parolable and adds no time to his minimum term.

NEXT ACTION:

Submit an Offender Release Plan (ORP) for Board approval. The Board recommends the offender be supervised at the highest level for the first 12 months of supervision. The Board will also like to see Mr. Smith on electronic monitoring for his initial 90 days following release.

JURISDICTION:

Streaty Smith is under the jurisdiction of the Board on a March 8, 1963, conviction in King County Cause #37443 for Murder in the First Degree. The time start is March 8, 1963. His initial minimum term was set at 360 months from a Sentencing Reform Act (SRA) range of 240 to 320 months. The maximum term is Life. Mr. Smith was paroled in May of 1977, at his age of 31; however, his parole was suspended four months later for allegations that he raped a college student in Bellingham. His parole was reinstated, but suspended again in 1979, at his age of 33, for assaulting a female while armed with a knife, with the intent to rape her. Mr. Smith's parole was consequently revoked in April of 1979 and he has been continuously incarcerated since that time. Mr. Smith has served approximately 628 months in prison, including 458 months on the parole violation, and 300 days of jail time per Board action of July 3, 1974.

NATURE OF INDEX OFFENSE(S):

According to file materials, on May 7, 1962, Mr. Smith, at age 16, hid in the garage of his home and grabbed a 9 year old female, pulled her into the garage and made her disrobe, and when the victim found a knife in the garage he took the knife away from the victim and stabbed her to death. He left her body in the garage and later set it on fire to dispose of the victim's body. File reports are inconsistent on whether or not Mr. Smith had intent to rape the victim. Mr. Smith confessed his crime to his minister.

PRIOR CRIMINAL CONDUCT:

Mr. Smith's criminal history includes the parole violations mentioned above. While not found guilty of the 1977 rape, the SOTAP Treatment Summary records that Mr. Smith admitted having committed the offense, but did not discuss the specifics. He reportedly held the victim at gunpoint, grabbed her by the hair and demanded that she fellate him, and had forced intercourse with her twice over a period of several hours.

Similarly, Mr. Smith admitted some details of the 1979 assault while in sex offender treatment. Reports indicate that he knew the victim from a counseling clinic. She let him into her apartment

to talk and after about an hour the victim asked him to leave. Mr. Smith asked to use her bathroom and returned with a pocket knife. He grabbed her by the back of her hair and tried to kiss her, held the knife to her throat and forced her to the bedroom, telling her to remove her clothes. He then groped her breasts and vagina. The victim feigned nausea and escaped to a neighbor's residence.

The SOATP Treatment Summary also reports that Mr. Smith acknowledged committing other offenses for which he was not arrested, and that he had a history of physically assaulting women with whom he had been in relationships. He described the behaviors as name-calling, threatening, making accusations, hitting, choking, and being sexually assaultive. He also admitted to being sexually coercive to young male offenders in prison.

HISTORY/COMMENTS:

The Board met with Mr. Smith on July 2015, and found him not parolable, and 30 months were added to his minimum term. This decision overrode the previous Board decision that found him conditionally parolable. The Board's Decision dated August 2015, noted the Board would like to see Mr. Smith successfully complete Thinking for a Change and participate in a Therapeutic Community. The Board noted, "We would also like Mr. Smith to work on a more structured release plan and community support for his eventual release."

Since his last Board hearing Mr. Smith has not incurred a serious infraction and he completed Reentry Life-Skills in December of 2016.

CC Phillip Cook provided a summary of programming, behavior, and other relevant plans for Mr. Smith. He stated that Mr. Smith has not been a management problem in any way and he is respectful and gets along well with others. That Mr. Smith does have serious medical issues that have been problematic in programming and in obtaining a job (though he recently obtained one as a wheelchair pusher) and has had limited placement options as a result. He stated he has recently obtained community support through a Mr. Robert Owen in King County,

a well-known religious sponsor of DOC inmates, and appears to have a placement opportunity and case management in King County through the Union Gospel Mission. CC Cook stated he has also been in contact with Mr. Hewitt Gates as the contact for the Union Gospel Mission and confirmed acceptance for Mr. Smith.

Mr. Smith provided a disclosure of his index offense that is primarily consistent with file material information. He stated he there was no sexual element to his crime though he full acknowledged his actions in the murder. Mr. Smith also provided brief descriptions of the attempted sexual assault resulting in his revocation. He could verbalize his high risks and stated he believed that SOTAP had been helpful in addressing his needs. He has no desire to use drugs or alcohol and has completed an inpatient CD program. He further confirmed that he was not able to participate in T4C as he did not meet the eligibility requirements and was not appropriate for the Therapeutic Community as he already completed an inpatient CD program. He stated he believes he is ready for release and does not believe he has much time left to live due to his health status. He further explained that he believes the program he has been accepted into at the Union Mission Gospel Recovery Program will provide the services and structure he will need to successfully transition.

Mr. Smith he expects could participate in and complete SOTAP Aftercare, though his ability to complete would be likely, due to issues linked to his medical needs. He stated he did not fully agree with his SOTAP Aftercare Therapist's assessment of his participation the few month in the program though he admits to being distracted with his medical issues. Mr. Smith stated that he fully expects participating in community based Phase 3 SOTAP and is a more realistic treatment plan given his medical situation. Mr. Smith's Attorney highlighted the well -developed release plan that Mr. Smith had prepared and that had been an issue previously identified by the Board.

INFORMATION CONSIDERED:

In preparation for Mr. Smith's hearing and its decision in this case, the Board completed a review of Mr. Smith's ISRB file. The Board considered all information contained in the file, including but not limited to: the most recent DOC facility plan; information regarding institutional behavior and

programming; any letters of support and/or concerns sent to the Board; the Pre-Sentence Investigation report; and the most recent psychological evaluation prepared by Dr. James Johnson, dated February 3, 2017. The Board also considered the testimony of the witnesses listed above.

The original recommendation from the sentencing Judge was 20 years and 30 years by the Prosecutor. No updated recommendation for this hearing was received.

REASONS:

This was a deferred decision following a full Board discussion using a structured decision-making framework that takes into consideration; the statistical estimate of risk, criminal history, parole/release history, ability to control behavior, responsivity to programming, demonstrated offender change, release planning, discordant information, and other case specific factors. Based on the requirements of RCW 9.95.009 (3) and RCW 9.95.100 the Board finds Mr. Smith parolable.

Mr. Smith has had a difficult time in the MRP process as well as intermittent participation in treatment programming due to medical needs and through no fault of his own. He has developed a well thought out release plan as he was requested to do at his last Board hearing. Due to medical issues he is not likely to be eligible for camp or work release placement. He has been working with his counselor and has reportedly secured a potential placement in the Union Gospel Mission, which offers case management and medical access assistance.

Mr. Smith appears to have done what he can to mitigate his risk to the community. He has failing health which will likely continue to deteriorate. The current psychological evaluation dated February 3, 2017 by Dr. Johnson noted Mr. Smith's score on the Structured Assessment of Protective Factors for Violence Risk (SAPROF) as "Moderate" to "Low-Moderate" overall risk of reoffending based on Moderate Protective Factors and Moderate Risk Factors. Upon release to the community, he should be monitored closely for drug and alcohol use, will need to continue

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with his medical treatments, and should participate in Phase 3 SOTAP. The Board will also like to see Mr. Smith on electronic monitoring for his initial 90 days following release. The ISRB recommends the offender be supervised at the highest level for at least the first 12 months of supervision.

JP: ch

May 17, 2017

June 6, 2017

cc: Institution
Streaty Smith
File
Jason Couey, Attorney



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

DATE: May 31, 2017

TO: Full Board

FROM: JP/KR

RE: SMITH, Streaty #287506

Panel recommends: Parolable and no time added to MT.

Next action: Submit an ORP. Board recommends he be supervised at the highest level for the first 12 months of supervision as well as electronic monitoring for his initial 90 days following release.

Agree	Disagree
Jeff Patnode 5-31-2017 Lori Ramsdell-Gilkey 5-31-2017 Elyse Balmert 5-31-2017 Kecia Rongen 5-31-17	