



**Indeterminate Sentence Review Board
Decision and Reasons Summary**

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|------------------------|-----------------|-------------------|--------------------|
| Name: GALLEGOS, Roy | DOC#: 293459 | Case Type: PAR | Date: 2/11/2025 |
|------------------------|-----------------|-------------------|--------------------|

Note: This is a summary of the Decision and Reasons dated 2/24/2025, and should not be substituted for the full document.

Decision:

Move to Next count as of the ERD of the current count

Next Action: Parole on ERD to consecutive cause. Schedule .100 Hearing 120 days prior to his PERD. The Board makes this decision to allow Mr. Gallegos to access offender changes programs to reduce his risk and address his rehabilitation.

Recommendations:

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**



DECISION AND REASONS

| | |
|----------------------|-----------------------------------|
| NAME: | GALLEGOS, Roy |
| DOC #: | 293459 |
| FACILITY: | Stafford Creek Corrections Center |
| DATE OF HEARING: | February 11, 2025 |
| TYPE OF HEARING: | .100 |
| PANEL MEMBERS: | Jeff Patnode & Kecia Rongen |
| FINAL DECISION DATE: | February 24, 2025 |

I. DECISION/LEGAL STANDARD

This matter came before the above-named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a .100 hearing in accordance with RCW 9.95.100. This statute directs the Board to not release an individual unless in the Board’s opinion his or her rehabilitation has been completed, and he or she is a fit subject for release. Consequently, the Board finds Roy Gallegos **parolable** to his consecutive non-Board jurisdiction causes.

In a letter received from the Pierce County Prosecutors Office on December 6, 2024, a recommendation indicated the Board should not find Mr. Gallegos releasable.

NEXT ACTION: Mr. Gallegos is being released to his consecutive Board jurisdiction count as of the ERD of the current count. The Board makes this decision to allow Mr. Gallegos to access offender changes programs to reduce his risk and address his rehabilitation. Schedule .100 Hearing 120 days prior to his PERD.

II. JURISDICTION

Roy Gallegos is under the jurisdiction of the Board on a July 11, 1985, conviction in Pierce County Cause #84-1-00556-6 for MURDER IN THE FIRST-DEGREE COUNT I. The time start is July 11, 1985. The minimum term was set at 720 months ON COUNT I from a Sentencing Reform Act (SRA) range of 338 to 450 months. The statutory maximum term is Life. Mr. Gallegos has served approximately 475 months in prison and 402 days of jail time during the initial period of confinement.

Note: Other Causes/Counts: On the same cause # 84-1-00556-6 Mr. Gallegos has three counts of Statutory Rape in The First Degree which is consecutive to count I.

III. LAST BOARD DECISION

This is his first .100 Hearing.

IV. OFFENSE DESCRIPTION

Mr. Gallegos was the acting stepfather of his girlfriend, Carol Forrester's three daughters, and had been living together for a while. On the morning of April 5, 1984, Mr. Gallegos entered the three girls' bedroom. He went to the bed of victim #1 (age four) and raped her orally, vaginally and anally. When the victim began to scream and kick, Mr. Gallegos placed a pillow over the victim's face and smothered her, while he raped her. After the four-year-old victim died, Mr. Gallegos raped her two older sisters, age five and age six. Mr. Gallegos then went back to the four-year-old and took her body to the window and pushed it out the window to make it look like an accident. He placed an apple crate under the window, and threw the victim's favorite stuffed animal out the window so it would appear that she tried to get it and fell. He did this in front of the other two sisters, who asked him "Are we next?".

Mr. Gallegos then went back to bed, until he was awoken by the girl's mother looking for her youngest daughter. It is noted that marks on the body showed prior abuse, to include burns, bruises, scars, teeth marks (bites) that had occurred prior to the night of the murder.

V. OTHER RISK RELATED BEHAVIOR

Mr. Gallegos has the following additional criminal behavior:

- 02/20/1983- Hit and Run; Driving on a Revoked License- convicted: confinement 30 days: serve 17 days 13 days suspended, one year probation.
- 04/21/1983- Attempt to Elude Pursuing Police Vehicle – Guilty Plea – Five years deferred with condition to surrender driver’s license.
- 07/11/1983 – Attempt to Elude Pursuing Police Vehicle – Failure to Appear
- 09/03/1984 - Malicious Mischief Second Degree – no disposition noted
- 08/06/1985 – Attempt to Elude Pursuing Police Vehicle – Confinement five years.

VI. EVIDENCE CONSIDERED

The Board considered the evidence presented at the hearing and reviewed **Roy Gallegos’s** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor David Sherman and Mr. Roy Gallegos.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: Dated
- Criminal case records: **PSI 8-23-1985**
- Psychological Evaluations: **PhD Robtoy, 12-04-2024**
- DOC Treatment and behavioral reports dated:
- Risk Assessments (Static, SOTIPS etc.):
- **Static-99R** is an actuarial risk prediction instrument designed to estimate the probability of sexual and violent recidivism. It is the most widely used sex offender risk assessment instrument in the world.
- Hare Psychopathy Checklist-REVISED (**PCL-R**) indicates the extent to which the individual has psychopathic tendencies.
- **HCR-20v3** is an instrument that organizes known risk factors into three categories: historical, clinical, and risk management. Using past, present, and future factors the HCR-20v3 assesses dynamic risk for recidivism.

- Sex Offender Treatment and Intervention Progress Scale (**SOTIPS**) used to assess risk, treatment and supervision needs, and progress among adult male sex offenders. It is reported combined SOTIPS/Static-99R scores have predicted sexual recidivism better than either instrument alone.
 - Violence Risk Assessment Guide-Revised (**VRAG-R**) is a 12-item actuarial scale designed to predict violent recidivism.
- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R):
- DOC OMNI Records
- Other:

VII. **FINDINGS**

1. In preparation for this hearing, Mr. Roy Gallegos was advised of his hearing rights.
2. Roy Gallegos appeared by video conference. He was represented by attorney Darrel Lahtinen.
3. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all identified by the End of Sentence Review Committee (ESRC), DOC psychological evaluations, and RCW 9.94A.704. These conditions include, but are not limited to, the following:
 - DRUG / ALCOHOL RESTRICTIONS
 - ELECTRONIC MONITORING
 - MENTAL HEALTH TREATMENT COMPLIANCE
 - PARTICIPATION IN SEX OFFENSE TREATMENT
 - PROHIBITED CONTACTS
 - SEXUALLY EXPLICIT MATERIAL
 - SUBMIT TO POLYGRAPHS
 - UNAPPROVED RELATIONSHIPS
4. The Board has considered the following evidence favorable to Roy Gallegos's release determination:

- Treatment/Programming. **He has completed Redemption, Life Skills, and numerous educational/vocational programs.**
- Protective factors. **He has a significant period of time to complete risk related programing before he is releasable.**
- Risk Assessment Scores. **He scores low on the Static 99-R (-1)**
- Other evidence:

5. The Board has considered evidence against Roy Gallegos's conditional release (WAC 381-60-160), examples of adequate reasons for a finding of non-parolability include, but are not limited to:

- Active refusal to participate in available program or resources designed to assist and offender to reduce the risk of re-offense (e.g., anger management, substance abuse treatment).
- Serious and repetitive disciplinary infractions during incarceration.
- Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).
- Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole.
- Evidence that an inmate presents a substantial danger to the community if released. **Mr. Gallegos does lack insight into his sex offenses, which is not unusual for an individual who has yet to complete sex offense treatment.**

6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would sufficiently reduce the likelihood of Roy Gallegos committing new offenses because:

- **Mr. Gallegos has managed his behavior and not incurred a serious infraction since 1996.**
- **He has been programming when available and has been involved in prison employment.**
- **He indicates he is willing to participate in the DOC SOTAP when he is eligible.**
- **The Board makes this decision to allow Mr. Gallegos to access offender changes programs to reduce his risk and address his rehabilitation.**

7. Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and after weighing all of the totality of the evidence, including the community custody conditions and any

favorable evidence noted above by the Board, the Board finds that Mr. Gallegos is parolable to his consecutive non Board jurisdiction causes.

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

VIII. RECOMMENDATIONS

- **Sex Offense Treatment and Assessment Program (SOTAP), if he is eligible**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**

JP: ah

2/19/2025

cc: Facility: SCCC
Roy Gallegos, Incarcerated Individual
File



TO: Full Board

FROM: **JP** (ah)

RE: GALLEGOS, Roy DOC # 293459

Panel recommends: **Move to consecutive count/cause**

Next action: Parole on ERD to consecutive cause. Schedule .100 Hearing 120 days prior to his PERD. The Board makes this decision to allow Mr. Gallegos to access offender changes programs to reduce his risk and address his rehabilitation.

| Agree | Disagree |
|--|----------|
| Jill Getty, 2.24.2025 Jeff Patnode, 2.24.2025 Corey McNally, 2.24.2025 Meghan Kelly-Stallings, 2.24.2025 Kecia Rongen, 2.24.2025 | |