



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

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Name: Dearbone, Simon	DOC#: 229014	Case Type: PAR	Date: 7/30/2024
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**Note: This is a summary of the Decision and Reasons dated 8/12/2024, and should not be substituted for the full document.**

**Decision: Parolable**

**Next Action: Submit an Offender Release Plan (ORP) for consideration.**

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), Community Phase**
- **Strong controls around alcohol use**
- **Strong controls around drug use**
- **Strong Controls around minor contact**
- **Strong controls around relationships**
- **Internet Monitoring**
- **Electronic Monitoring, first 90 days**
- **Sober Support Groups**



**DECISION AND REASONS**

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NAME: DEARBONE, Simon  
DOC #: 229014  
FACILITY: Reynolds Re-Entry Center  
DATE OF HEARING: July 30, 2024  
TYPE OF HEARING: .100  
PANEL MEMBERS: Elyse Balmert & Kecia Rongen  
FINAL DECISION DATE: August 12, 2024

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**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 Simon Dearbone parolable.

The Board received notification on May 28, 2024 that Progress House would be closing at the end of June and Mr. Dearbone would be transferred to Reynolds Reentry Center on June 27, 2024. His Hearing was moved to July after the transfer was complete.

Original: Judge recommended 310 months.

In a letter dated January 10, 2023 from the King County Prosecutor’s Office, Prosecutor Leesa Manion recommended the Board add additional time to his minimum term.

**NEXT ACTION: Submit an Offender Release Plan (ORP) for consideration.**

## **II. JURISDICTION**

Simon Dearbone is under the jurisdiction of the Board on a January 21, 1974 conviction in King County Cause #65631 for Murder in the First Degree. The time start is January 21, 1974. The minimum term was set at 354 months from a Sentencing Reform Act (SRA) range of 256 to 342 months. The statutory maximum term is Life. Mr. Dearbone has served approximately 605 months in prison and 0 days of jail time during the initial period of confinement.

Note: Other Causes/Counts: King County Cause #54388 - Indecent Liberties. Sentenced to 9 months. PERD is 7/30/74.

King County Cause #63881 - Burglary 2. Sentenced to 1 day. PERD is 01/29/74. Grays Harbor County Cause #10-1-00047-2 - Assault in the Third Degree. Sentenced to 8 months. ERD is 12/25/10. All counts run CC to each other.

## **III. LAST BOARD DECISION**

Mr. Dearbone had a .100 hearing on January 10, 2023. The ISRB found him conditionally parolable to a Mutual Reentry Plan (MRP) and added 24 months to the minimum term. The ISRB recommended that Dearbone transition through lower levels of custody to include the Graduated Reentry Program if eligible. The ISRB recommended strong controls around drugs and alcohol, relationship, and supervision around minors.

## **IV. OFFENSE DESCRIPTION**

In June of 1973, Mr. Dearbone (28) with two juveniles lured his minor male cousin into the woods. Mr. Dearbone murdered him. He was also charged with Statutory Rape for sexual contact with the female minor, however that was dropped in the course of the Murder Trial.

## **V. OTHER RISK RELATED BEHAVIOR**

Indecent Liberties - Between December of 1969 and March of 1970 Mr. Dearbone sexually assaulted a six-year-old female child. It should be noted that the victim's mother was considered

one of Mr. Dearbone's ex- girlfriends, however records further indicate that she was his foster sister. Mr. Dearbone was originally given probation and directed to seek treatment and not have minor contact.

Burglary Second Degree, King County Cause No. 63881. On February 20, 1973, Mr. Dearbone was charged with Arson, Burglary and Assault. Mr. Dearbone pled guilty to Burglary in the Second Degree, and the arson charges were dropped. The CCO recommended that Mr. Dearbone receive psychiatric help and it was recommended that he be sent to the institution. The Court sent Mr. Dearbone to American Lake Hospital for psychiatric treatment through the Veteran's Administration hospital. Both of the above probations were revoked when Mr. Dearbone committed the Murder (index offense).

During his incarceration, Mr. Dearbone was convicted in 2010 for Assault in the Third Degree; Grays Harbor County Cause #10-1-00047-2. This runs concurrently with his other convictions and has a time start of April 26, 2010, and a maximum expiration date of December 25, 2010. This crime was an assault upon another inmate in which he poured scalding water on the victim's face.

## **VI. EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Simon Dearbone's** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Correctional Specialist Cheryl Davies** **And Re-Entry Center Manager Laura Deckard, and Simon Dearbone.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: **Law Enforcement Alert**
- Criminal case records: **Pre-Sentence Investigation 6/7/1973 and Judgement and Sentence 8/11/1973.**
- Psychological Evaluations: **9/4/2022, Lisa Robtoy Psychological Evaluation.**
- DOC Treatment and behavioral reports dated: **SOTAP Discharge Report 6/28/2016.**
- Assessments:

- *Violence Risk Assessment Guide-Revised (VRAG-R) is a 12-item actuarial scale designed to predict violent recidivism.*
  - *Minnesota Sex Offender Screening Tool-Revised (MnSOST-R) is a risk assessment tool that provides empirically based estimates of risk for sexual recidivism for incarcerated male sex offenders.*
  - *Hare Psychopathy Checklist-REVISED (PCL-R) indicates the extent to which the individual has psychopathic tendencies.*
  - *Stable-2007 is an empirically derived actuarial risk tool commonly used to assess treatment and supervision needs of sex offenders.*
  - *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.*
- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R): **D&R 1/10/2023.**
- DOC OMNI Records
- Other: **Letters of support.**

## VII. FINDINGS

1. In preparation for this hearing, Mr. Simon Dearbone was advised of his hearing rights.
2. Simon Dearbone appeared by video conference. Simon Dearbone 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
  - GEOGRAPHIC RESTRICTIONS
  - MENTAL HEALTH TREATMENT COMPLIANCE
  - PARTICIPATION IN DRUG/ALCOHOL TREATMENT
  - 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 Simon Dearbone's release determination:
- Treatment/Programming. **Completed a re-entry class since his last Hearing. Previously completed SOTAP, STOAP Aftercare, Bridges To Life, Thinking For Change, Redemption, Substance Use Disorder and Victim Awareness.**
  - Protective factors. **He has community support, access to Tribal and Veterans Administration resources.**
  - Risk Assessment Scores. **Static-99R 1-point Low Risk, ESRC Risk Level I.**
  - Other evidence: **He has not incurred any new Serious Infractions.**
5. The Board has considered evidence against Simon Dearbone's conditional release (WAC 381-60-160), examples of adequate reasons for a finding of not parolable 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. **He has incurred numerous Serious Infractions over his time in prison (last one in 2021)**
  - 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.
  - Other: **He has prior failures on Supervision. He has behavior issues while at Progress House which were reported to be that he was accessing sexually explicit material on his cell phone. His access to the internet was removed and he was not given a Serious Infraction. While on a outing in the community he was playing pickle ball with minors.**
6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would sufficiently reduce the likelihood of Simon Dearbone committing new offenses because:
- **He has support in the community and access to tribal and Veterans Administration.**
  - **He recognizes his triggers and can identify interventions.**

- **In the psychological evaluation by Dr. Robtoy, she indicates that Mr. Dearbone has “demonstrated some evidence of maturation and/or rehabilitation since his last hearing before the Board.” She further indicates, “he is taking steps in the right direction to become a reasonable candidate for release to less restrictive settings.”**
- **His age and physical health may reduce his risk.**

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. Dearbone is Parolable. 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), Community Phase**
- **Strong controls around alcohol use**
- **Strong controls around drug use**
- **Strong Controls around minor contact**
- **Strong controls around relationships**
- **Internet Monitoring**
- **Electronic Monitoring, first 90 days**
- **Sober Support Groups**

EB: ch

7/30/2024

cc: Facility: Reynolds Re-Entry Center  
Simon Dearbone, Incarcerated Individual  
File



TO: Full Board

FROM: EB (ch)

RE: DEARBONE, Simon DOC # 229014

Panel recommends: Parolable.

Next action: Submit an Offender Release Plan (ORP) for consideration.

Agree	Disagree
Jeff Patnode, 8.12.2024 Jill Getty, 8.12.2024 Elyse Balmert, 8.12.2024 Corey McNally, 8.12.2024 Kecia Rongen, 8.12.2024	