



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

Name: Seymore, Barry	DOC#: 287278	Case Type: PAR	Date: 10/8/2024
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Note: This is a summary of the Decision and Reasons dated 10/14/2024, and should not be substituted for the full document.

Decision:

Conditionally Parolable to MRP and adds 36 months to minimum term.

Next Action: Conditionally Parolable to a Mutual Reentry Plan (MRP) and adds 36 months to his minimum term. Schedule .100 hearing approximately 120 days prior to PERD.

Recommendations:

- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **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**
- **Participate in next Hearing**
- **Develop a release plan/community support**



DECISION AND REASONS

NAME:	SEYMORE, Barry
DOC #:	287278
FACILITY:	Monroe Correctional Complex - Twin Rivers Unit
DATE OF HEARING:	October 8, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Elyse Balmert & Corey McNally
FINAL DECISION DATE:	October 14, 2024

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 Barry Seymore **conditionally parolable to a MRP** and adds 36 months to the minimum term.

Mr. Seymore signed a SOTAP Hearing Waiver. Upon completion of the Program, he was scheduled on the first available docket in September, however the hearing was postponed per his request due to medical issues.

Original Recommendation -The Judge recommended that the minimum term be set at 17 years (204 months) and the Prosecutor recommended that the minimum term be set at 20 years (240 months).

Letter dated April 18, 2017 from Spokane County Prosecutor's Office; Chief Criminal Deputy Prosecuting Attorney John F. Driscoll Jr. urged great caution in changing Mr. Seymore's current status.

NEXT ACTION: Conditionally Parolable to a Mutual Reentry Plan (MRP). Schedule .100 hearing approximately 120 days prior to PERD.

II. JURISDICTION

Barry Seymore is under the jurisdiction of the Board on a December 7, 1981 conviction in Spokane County Cause #81-1-00824-1 for Attempted Murder in the First Degree. The time start is December 7, 1981. The minimum term was set at 240 months from a Sentencing Reform Act (SRA) range of 187 to 249 months. The statutory maximum term is life. Mr. Seymore has served approximately 514 months in prison and 0 days of jail time during the initial period of confinement.

Note: Other Causes/Counts: Mr. Seymore was also convicted on Spokane County 81-1-00647-8 for Indecent Liberties with Forcible Compulsion. This was served concurrent with the Attempted Murder Cause. This Sentence expired September 16, 1991.

III. LAST BOARD DECISION

On May 10, 2022, a .100 Hearing was held and wherein Mr. Seymore was found to be not parolable and 36 months was added to his minimum term. The Board recommended that he be referred to SOTAP, complete a full substance abuse assessment and complete any recommended treatment prior to his next hearing, see his regular/local medical professionals.

IV. OFFENSE DESCRIPTION

On May 20, 1981, Barry Seymore (age 26) raped a known 14-year-old girl. The victim had previously babysat for his family and recently ran away from home. The Seymore's allowed her to stay at their house. After Mrs. Seymore had gone to work on May 20th, Barry Seymore awoke

the sleeping victim, forced her at knifepoint to go into his bedroom, then tied her up, gagged her and raped her.

On August 25, 1981, while out on bail for the above offense, Barry Seymore set fire to the home of the victim above. He poured gasoline around all the doors and windows of the home. In the home along with the rape victim was her grandmother and 4-year-old nephew. The victim suffered a broken spine when she jumped out of a window and her grandmother and nephew suffered severe burns. As a result of the arson and injuries received, the victim was not available to testify against Mr. Seymore in his scheduled Rape trial, and he was allowed to plead to a lesser offense of Indecent Liberties with Forcible Compulsion.

While Mr. Seymore was at Eastern State Hospital being evaluated for participation in the Sexual Psychopath Program, it was discovered that he was responsible for the house fire mentioned above. He apparently set the fire to kill the victim to prevent her from testifying against him in the upcoming rape trial. He was convicted of one count of Attempted Murder in the First Degree.

V. OTHER RISK RELATED BEHAVIOR

While participating in the SOTAP in 1996, Mr. Seymore disclosed that in his early 20's he had raped two familial females, both 16 at the time. Neither victim reported it. He reported being aroused to power, anger, and violence.

(Risk related means, behavior that may be unadjudicated, charged and/or convicted that may contribute to an individual's risk to reoffend sexually because it shows a pattern of illegal sexual behavior and is often included in validated risk assessments included for scoring purposes. Other criminal convictions that include violence against a person show a criminal versatility in an individual, thus increasing risk for any offense, including a sex offense. Illegal behavior related to, or abuse of drugs or alcohol can decrease a person's ability to control their impulsivity and engage in problem solving and utilize coping strategies to reduce their risk.)

VI. EVIDENCE CONSIDERED

The Board considered the evidence presented at the hearing and reviewed **Barry Seymore's** ISRB file. The hearing was audio recorded and will be retained per retention schedules.

Testimony was provided by the following individuals: **Classification Counselor Marie McGuffin, SOTAP Supervisor Elsbeth Stebbins, Psychology Associate Katie Davis and Barry Seymore.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: **Dated 10/7/2021.**
- Criminal case records: **Judgement and Sentence 12/21/1981**
- Psychological Evaluations: **Psychological Evaluation by Lisa Robtoy, Psy.D dated March 10, 2022.**
- DOC Treatment and behavioral reports dated: **SOTAP Mid-Treatment Review 5/25/2024.**
- Assessments:
 - ***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.*
 - ***Structured Assessment of Protective Factors (SAPROF)** structured clinical judgement instrument to consider relevant factors that may reduce or protect from future risk behaviors.*
 - ***Saint Louis University Mental Status examination (SLUMS)** is a brief screening tool to assess cognitive functioning.*
 - ***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.*
 - ***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): **D&R 5/10/2022.**
- DOC OMNI Records
- Other: **Individual Release Plan. 2017 letter from Spokane County Prosecutor's Office.**

VII. FINDINGS

1. In preparation for this hearing, Mr. Barry Seymore was advised of his hearing rights.
2. Barry Seymore appeared by video conference. Barry Seymore 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 Barry Seymore’s release determination:
 - Treatment/Programming. **Completed SOTAP X 2, Stress/Anger Management X 2 and Victim Awareness.**
 - Protective factors. **No Serious Infractions since last being seen by the Board. His last one was in 2018.**
 - Risk Assessment Scores. **Static-99R 0-points Low Risk. PCL-R Low range for psychopathy.**
 - Other evidence: **Age and medical issues may mitigate his risk.**

5. The Board has considered evidence against Barry Seymore’s conditional release ([WAC 381-60-160](#)), examples of adequate reasons for a finding of non-parolability include, but are not limited to:
 - He has not participated in additional programs or resources designed to assist and offender to reduce the risk of re-offense.
 - Serious and repetitive disciplinary infractions during incarceration. **He has incurred a total of three Serious Infractions during his 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.
- End of Sentence Review Committee (ESRC) risk. **Risk Level Two aggravated due to position of trust to access victim, and pattern of behavior that increases risk of sexual re-offense.**

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

- **He has completed the core SOTAP program with positive reports from his Providers.**
- **He appears to understand his Dynamic Risk Factors and Interventions which should result in mitigated risk to the community.**
- **He has completed additional risk related programs in addition to SOTAP, Stress/Anger Management X 2 and Victim Awareness.**
- **He has a realistic release plan and lifetime supervision.**
- **He has a medical condition and his age that may mitigate 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. Seymore is conditionally parolable to a MRP and adds 36 months to his minimum term.

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

- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **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**
- **Participate in next Hearing**
- **Develop a release plan/community support**

EB: vj

10/9/2024

cc: Facility: MCC-TRU
Barry Seymore, Incarcerated Individual
File



TO: Full Board

FROM: EB (vj)

RE: SEYMORE, Barry DOC # 287278

Panel recommends: Conditionally Parolable to MRP and adds 36 months to minimum term.

Next action: Conditionally Parolable to a Mutual Reentry Plan (MRP). Schedule .100 hearing approximately 120 days prior to PERD.

Agree	Disagree
Jill Getty, 10.14.2024 Jeff Patnode, 10.14.2024 Elyse Balmert, 10.14.2024 Corey McNally, 10.14.2024 Kecia Rongen, 10.14.2024	