

INDETERMINATE SENTENCE REVIEW BOARD
BOARD MEETING
SUMMARY MINUTES

Monday, October 28, 2024

A regular meeting of the Indeterminate Sentence Review Board was held in the ISRB Office Building located at 637 Woodland Square Loop SE, Lacey, WA 98504, commencing at 9:00 a.m.

Present were:

Board Members:
Corey McNally
Jeff Patnode
Elyse Balmert
Jill Getty

Staff:
Rebecca Torrence, Executive Assistant

Not Present:
Kecia Rongen

A. To the Table Case – Members had a full Board discussion of this ISRB case.

PRE-84

- SMITH, Scott
- DOC #278891
- Purpose: Full Board Discussion
- Date: October 28, 2024
- List of Documents Reviewed
 - ISRB File
- An updated prosecutor recommendation was received. The recommendation was to for Mr. Smith to remain in custody.

- Scott Smith was seen for a .100 hearing on October 15, 2024 at the Stafford Creek Corrections Center.

- **Summary Discussion**
Jill Getty presented the case to the full Board.

- Scott Smith is under the jurisdiction of the Board for their conviction of three counts of Murder in the First Degree in King County Cause 80-1-02459-7.

Scott Smith and his co-defendant Timothy Pauley entered the Barn Door Tavern in King County, Washington. Five people were present in the tavern when they

entered, two men and three women. The men were shot and killed by Timothy Pauley. Mr. Smith took one of the females back to the bar area and tied her to a pole with a cord tied around her neck. She died of strangulation as a result. The other two women survived and were eventually able to summon police. He was 21 years of age at the time of the crime and is currently 65 years of age.

Previous Criminal History:

Mr. Smith has no prior convictions.

Risk assessments show him to be a low moderate risk to re-offend.

Mr. Smith's last serious infraction was in 2011.

Mr. Smith has done minimal programming while incarceration. He has been employed in the facility.

No release plan was discussed as Mr. Smith did not attend the hearing.

• **Decision:**

The panel recommends Mr. Smith not be released and 120 months be added to his minimum term.

• **Reasons:**

- Despite having a substance use disorder (SUD) treatment referral from 2017, he has not participated in any treatment. His Counselor also noted that he had not made any attempts to participate in any other change programs since his 2021 Hearing.
- Although his Counselor testified that Mr. Smith was aware of the DOC Accountability Letter Bank and the process to participate, he instead wrote an inappropriate letter that he addressed to the victims and their families that he sent to the ISRB in 2022.
- Mr. Smith refused to sign/acknowledge any documents issued in preparation for this hearing. He also refused attorney representation and refused to attend the hearing. Therefore, the Board was unable to meet with Mr. Smith to assess his current rehabilitation.
- Despite the Board's recommendations after his 2021 .100 Hearing, Mr. Smith has not participated in either SUD treatment or any other change program since that time to develop additional skills that may mitigate his risk. In the 2024 Psychological Evaluation Mr. Smith addressed this issue stating he didn't like prison programs because there were "too many politics involved". Later in the evaluation it was further noted by

Dr. Robtoy, “Mr. Smith’s level of motivation to put forth the effort to change is less than is typical of correctional samples. This finding puts Ms. Smith at increased risk for treatment noncompliance and/or resistance should he become involved in offender change programming or treatment. It is likely that he is satisfied with his current status and sees little need to change”. His prior drug involvement that was concerning to the Board in 2021, and his minimal participation in risk-related change programming in general, remain unaddressed.

- The November 2024 Psychological Evaluation estimated Mr. Smith to be a low to moderate risk for future violence. However, it should be noted that Dr. Robtoy recommended caution about information dependent on Mr. Smith’s self-report stating, “Regarding Mr. Smith’s reliability, all testing completed during this evaluation suggest his responses were significantly influenced by intentional positive impression management (as opposed to lack of insight regarding his problems). Consequently, the reliability of his self-report was considered questionable...”. In addition, the characterization of Mr. Smith in the Psychological Evaluation appeared to be incongruent with his letter addressed to the victims and their families submitted to the Board in 2022, and his refusal to participate in the current hearing process.
- The Board has significant concerns regarding a letter that Mr. Smith submitted to the ISRB addressed to the victims and their families in 2022. Rather than working through the DOC Accountability Letter Bank to ensure that his letter was appropriate, Mr. Smith’s letter appeared to seek guilt or pity from the victims and survivors, which is unacceptable. In addition, in the 2024 Psychological Evaluation, while describing his remorse for the crime he committed he added, “That small piece of life changed everything. It’s been a nightmare for me”. Mr. Smith has demonstrated an overall lack of empathy or insight into the impacts of the crime on the victims and survivors.
- The absence of risk related behavior alone is not an indicator of rehabilitation.
- In his 2022 letter addressed to the victims and their families, Mr. Smith also stated that he did not feel that he was deserving of release.

- **Recommendations:**
 - Substance Abuse Treatment, Assessment and Follow Recommendations (based on significant history)
 - Sober Support Groups
 - Other Risk Related Programs, if eligible. Such as: Thinking for a Change, Bridges to Life, Alternatives to Violence, etc.
 - Remain infraction free and have positive interactions with staff
 - Participate in next Hearing

- **Next Action:**
 - Schedule a .100 Hearing approximately 120 days prior to PERD. An updated Psychological Evaluation will be required for the next hearing

- **Vote:**

Jeff Patnode	Agree with recommendation
Kecia Rongen	Not Present
Corey McNally	Agree with recommendation
Elyse Balmert	Agree with recommendation
Jill Getty	Agree with recommendation