



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

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Name: Richmond, Billy	DOC#: 624570	Case Type: PAR	Date: 10/16/2024
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**Note: This is a summary of the Decision and Reasons dated 10/28/2024, and should not be substituted for the full document.**

**Decision:**

**Not Parolable. Add 30 months to Minimum Term.**

**Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see Mr. Richmond earlier upon successful completion of SOTAP. An updated psychological evaluation is needed if he completes SOTAP.**

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **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**
- **Participate in next Hearing**
- **Develop a release plan/community support**



## DECISION AND REASONS

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NAME:	RICHMOND, Billy
DOC #:	624570
FACILITY:	Stafford Creek Corrections Center
DATE OF HEARING:	October 16, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Elyse Balmert & Corey McNally
FINAL DECISION DATE:	October 28, 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 Billy Richmond not parolable and adds 30 months to the minimum term.

The original Prosecutor recommended a minimum of 20 years.

**NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see Mr. Richmond earlier upon successful completion of SOTAP. An updated psychological evaluation is needed if he completes SOTAP.**

### **II. JURISDICTION**

Billy Richmond is under the jurisdiction of the Board on a May 18, 1982, conviction in Pierce County Cause #81-1-01157-0 for Rape in the First Degree, Count I. The time start is May 18, 1982. The minimum term was set at 108 months from a Sentencing Reform Act (SRA)

range of 60 to 82 months. The statutory maximum term is Life. Mr. Richmond has served approximately 149 months in prison and 192 days of jail time during the initial period of confinement.

Revoke(s): Richmond was released on November 3, 1994, and revoked on April 15, 1996. The new minimum term was set at 60 months. The current time served on revocation is 342 months.

Note: Other Causes/Counts: Billy Richmond was also convicted in Pierce County cause 95-1-04581-4 for Burglary in the Second Degree, Count I and Assault in the Third Degree, Count II. He was sentence to 120 months on Count I and 60 months on Count II. This SRA consecutive to Cause 81-1-011157-0.

### **III. LAST BOARD DECISION**

Richmond had a .100 hearing on July 21, 2021. The ISRB determined he was not parolable and added 60 months to the minimum term. In the August 11, 2021, Decision and Reasons, the ISRB recommended that Richmond participate in Sex Offense Treatment and Assessment Program (SOTAP) and take any “offender related programming that helps address his likelihood to reoffend”.

### **IV. OFFENSE DESCRIPTION**

File materials indicate that Mr. Richmond (age 34) raped a 60-year-old female in her apartment. The woman was lying in her bed when Richmond broke in, struck her several times in the face, drug her to the kitchen area and sexually assaulted her. He also took her small TV when he left. She recognized him as a fellow tenant in her apartment building. The Victim is described as almost totally deaf and slightly senile.

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

**51213 Pierce County, Indecent Liberties** (Per Static 99 Information Worksheet dated January 29, 2019) On March 30, 1977, Mr. Richmond was observed carrying an unknown five-year-old

girl through several vacant lots and finally placing her in an abandoned pick-up canopy. When police arrived, Mr. Richmond was found with his pants down and genitals exposed. The victim's pants were removed and indicated that Mr. Richmond had digitally penetrated her.

**#95-1-04581-4 Pierce County, Burglary in the Second Degree, Assault in the Third-Degree**

Mr. Richmond was paroled to the community regarding this offense in November 1994. However, he was arrested on October 6, 1995, and was later revoked after being convicted of new charges of Burglary in the First degree and Assault in the Third Degree. In that incident, Mr. Richmond came to the victim's door and stated that he had been watching her. Mr. Richmond told the victim that she was his and she ran back into her residence to use the phone. Mr. Richmond grabbed her, ripped her clothing, pushed her to the bed and slapped her. Mr. Richmond then digitally penetrated her, performed oral sex on her, and attempted to have intercourse with her. The assault continued until the victim's son called her and Mr. Richmond fled the scene. Mr. Richmond denied his offenses for several years.

**#1022335 Tacoma Police Department Report** (Per Static 99 Information Worksheet dated

January 29, 2019) On January 14, 1981, an unknown male victim reported that he met Mr. Richmond earlier in the day and Mr. Richmond beat him severely when the victim refused to perform oral sex on Mr. Richmond. Mr. Richmond hit the victim approximately 200 times after which the victim finally agreed to perform oral sex on Mr. Richmond. When Mr. Richmond was pulling down his pants, the victim was able to run away and call the police. The victim required hospitalization. Mr. Richmond was found not guilty at trial however he was found guilty at a parole revocation hearing of physical assault.

**VI. EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Billy Richmond's** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor Patrick Collecchi, Psychology Associate James Smash and Billy Richmond.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports:
- Criminal case records: **Police Report 11/8/1981**
- Psychological Evaluations: **Lisa Robtoy, Psy.D. Psychological Evaluation dated March 22, 2024.**
- DOC Treatment and behavioral reports dated:
- 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.
  - **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 7/21/2021**
- DOC OMNI Records
- Other:

## VII. FINDINGS

1. In preparation for this hearing, Mr. Billy Richmond was advised of his hearing rights.
2. Billy Richmond appeared in person. Billy Richmond 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 Billy Richmond's release determination:

- Treatment/Programming. **Participating in religious programs**
- Protective factors. **He has community support. His age and physical health may be mitigating factors.**
- Risk Assessment Scores.
- Other evidence: **He now admits to sexual elements of his 1981 conviction and is willing to participate in SOTAP. He has held steady employment in the institution.**

5. The Board has considered evidence against Billy Richmond'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). **Mr. Richmond has not completed SOTAP or other criminogenic programming since 2014 (T4C).**
- 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. **In the March 22, 2024 Psychological Evaluation, Dr. Robtoy stated that while she was escorting Richmond out of the interview room after interviewing him, he told her, "I just want to say, your husband, whoever he is,**

**better keep you. Cuz I'm gonna be out. I enjoyed you." Dr. Robtoy said the statement may have been innocent and poorly worded, but she interpreted it as threatening. She also said this was not an isolated incident, as other staff have reported similar behaviors.**

6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would not sufficiently reduce the likelihood of Billy Richmond committing new offenses because:

- **Lisa Robtoy, Psy.D. conducted a psychological evaluation on February 16, 2024 (report dated March 22, 2024). Dr. Robtoy was not convinced that Richmond had matured and/or been rehabilitated. She noted he has not completed SOTAP or other criminogenic programming and continues to deny culpability.**
- **Dr. Robtoy assessed Richmond as a high risk for violent recidivism, including future sexual offending, in less restrictive settings. She noted that Richmond presents with below average intellectual functioning, which impacts his ability to accurately report information, limits his ability to learn, impairs his ability cope with stress, and complicates his ability to form and maintain meaningful relationships.**
- **Dr. Robtoy is of the opinion that Richmond is not a reasonable candidate for release to less restrictive settings.**
- **In the March 22, 2024, Psychological Evaluation, Dr. Robtoy stated that while she was escorting Richmond out of the interview room after interviewing him, he told her, "I just want to say, your husband, whoever he is, better keep you. Cuz I'm gonna be out. I enjoyed you." Dr Robtoy said the statement may have been innocent and poorly worded, but she interpreted it as threatening. She also said this was not an isolated incident, as other staff have reported similar behaviors.**
- **He has multiple sex offenses and has not completed sex offense treatment to assist with his insight into why he committed sex offenses.**

- **He has been referred for a Forensic Psychological Evaluation (FPE). Only a small percentage of the highest risk sex offenders are reviewed for and selected by the End of Sentence Review Committee (ESRC) SVP Subcommittee for an FPE, indicative of the risk Mr. Richmond presents at this time.**
  - **It is unlikely at this time that conditions of release would sufficiently reduce the risk of re-offense therefore he is found to not be fully rehabilitated and a fit subject for release.**
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. Richmond is not parolable and adds 30 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**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **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**
- **Participate in next Hearing**
- **Develop a release plan/community support**

EB: ah



Richmond, Billy – DOC # 624570

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10/16/2024

cc: Facility: SCCC  
Billy Richmond, Incarcerated Individual  
File



TO: Full Board

FROM: EB (ah)

RE: RICHMOND, Billy DOC # 624570

Panel recommends: Not Parolable, add 30 months to minimum term.

Next action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see Mr. Richmond earlier upon successful completion of SOTAP. An updated psychological evaluation is needed if he completes SOTAP.

Agree	Disagree
<b>Elyse Balmert, 10.28.2024</b> <b>Corey McNally, 10.28.2024</b> <b>Jeff Patnode, 10.28.2024</b> <b>Jill Getty, 10.28.2024</b> <b>Kecia Rongen, Not Present</b>	