



Decision and Reasons Summary

Note: This is a summary of the Decision and Reasons dated October 13, 2025, and should not be substituted for the full document.

Incarcerated Individual Lakey, Hershel	DOC# 255710	Date: September 24, 2025	Case Type: PAR
Decision: Not Parolable - The Board rescinds their decision of March 24, 2025, finding Hershel Lakey conditionally parolable to a Mutual Reentry Plan.	Additional Release Information: ☒ Add 0 months to Minimum Term (MT). ☐ Extends to Maximum Expiration. ☐ Reaffirms prior Decision to hold to Max Expiration. ☐ As of the Earned Release Date (ERD) of the current cause/count. ☐ As of the date of this decision. ☐ Continued to next available Docket for .		

Next Action: Schedule a .100 Hearing approximately 120 days prior to Parole Eligibility Review Date.

- ☐ The Board may consider a cut in time.
- ☒ A Forensic Psychological Evaluation (FPE) is needed for the next hearing.

Recommendations:

- ☒ Sober Support Groups.
- ☒ 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.
- ☒ Develop a release plan/community support.



Decision and Reasons

Incarcerated Individual Lahey, Hershel	DOC# 255710	Facility Airway Heights Corrections Center	Type of Hearing .100
Date of Hearing September 24, 2025	Final Decision Date October 13, 2025	Panel Members Jill Getty Jeff Patnode	

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 rescinds their decision of March 24, 2025, finding **Hershel Lahey** conditionally parolable to a Mutual Reentry Plan and subsequently finds **Hershel Lahey** not parolable but adds 0 months to the minimum term.

The Judge recommended that Mr. Lahey never be released. In addition, the ISRB received a letter from the Thurston County Prosecuting Attorney dated August 15, 2025, recommending that Mr. Lahey not be paroled.

NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to Parole Eligibility Review Date. A Forensic Psychological Evaluation (FPE) will be required for the next hearing.

II. JURISDICTION

Hershel Lahey is under the jurisdiction of the Board on a June 18, 1979, conviction on Thurston County Cause #79-1-00068-3 for First Degree Theft. The time start is December 12, 2022. The minimum term was set at 36 months from a Sentencing Reform Act (SRA) range of 0 to 2 months.



The statutory maximum term is 10 years. Mr. Lakey has served approximately 33 months in prison and 13 days of jail time during the initial period of confinement.

Other Causes/Counts: Mr. Lakey was previously under the jurisdiction of the Board on a June 18, 1979, conviction in Thurston County Cause Number 79-1-00082-9 for Murder in the First Degree. He served approximately 521 months confinement on this cause before being found “parolable” to his consecutive confinement term on the current offense in 2022.

III. LAST BOARD DECISION

The Board last met with Mr. Lakey in a .100 Hearing on March 18, 2025. At that time, he was found conditionally parolable to a Mutual Re-Entry Plan (MRP) and 36 months were added to the minimum term. In addition, the Board recommended that he attend sober support groups and other programs such as Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, or Domestic Violence Treatment if eligible, that he remain infraction free, and that he develop a release plan and community support.

On June 6, 2025, the Board was notified that the End of Sentence Review Committee (ESRC) had recommended that Mr. Lakey participate in an FPE prior to parole to determine whether he met criteria as a Sexually Violent Predator (SVP) pursuant to RCW 71.09. The Board then determined that Mr. Lakey should be scheduled for a new .100 Hearing to consider the new information.

IV. OFFENSE DESCRIPTION

File materials describe the underlying conviction as Mr. Lakey celebrating his 21st birthday and meeting a woman at a bar. She indicated she had a room she may rent out and they went back to her home. After spending some time talking and drinking and listening to music together, it appears they both went out back to look at the “shed” area that the victim was proposing to rent to Mr. Lakey. Mr. Lakey made sexual advances to which the victim was not receptive. Reports



indicate that Mr. Lakey grabbed a butcher knife and fought with the victim, stabbing her multiple times in her back. He took off most of her clothing, raped her, and stabbed her several more times. He then stole her car and drove around until he got in an accident and was arrested a short time later. During the investigation the homicide was discovered.

V. OTHER RISK RELATED BEHAVIOR¹

Juvenile: 1974 – Indecent Liberties, At the age of 16, Lakey lured a 6-and-a-half-year-old boy to a secluded area where he removed both their pants, and he rubbed up against the victim until ejaculation. He was arrested and sentenced to probation.

Juvenile: 1976 (OR), Stole his father's car from Washington and went to Oregon. He spent time in jail and was released.

Adult: 1976 (OR), Selling marijuana at a high school football game. He was given a one-year suspended sentence and one-year of probation.

VI. EVIDENCE CONSIDERED

The Board considered the evidence presented at the hearing and reviewed **Hershel Lakey's** ISRB file. The hearing was audio recorded and will be retained according to the retention schedules. Testimony was provided by the following individuals:

- **Classification Counselor: Melissa Warfield**

¹ 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.



- **Sex Offense Treatment and Assessment Program (SOTAP) Program Manager: Brent Borg**
- **Hershel Lakey**

The file review included the following documents:

- ☒ End of Sentence Review Committee (ESRC) Reports dated: **5/7/25 & 6/5/25**
- ☐ Criminal case records:
- ☒ Psychological Evaluations: **Psychological Evaluation dated 11/20/24.**
- ☒ DOC Treatment and behavioral reports dated: **Substance Use Disorder Discharge Summary dated 9/26/23; SOTAP Mid-Treatment Review dated 11/8/24.**
- ☒ Risk Assessments (Static, SOTIPS etc.):
 - *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.*
 - ***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.*
 - ***Stable-2007** is an empirically derived actuarial risk tool commonly used to assess treatment and supervision needs of sex offenders.*
 - *Violence Risk Assessment Guide-Revised (VRAG-R) is a 12-item actuarial scale designed to predict violent recidivism.*
 - *Hare Psychopathy Checklist-REVISED (PCL-R) indicates the extent to which the individual has psychopathic tendencies.*
- ☐ Findings and Conclusion (F&C) Dated:
- ☒ Prior Decision & Reasons (D&R) Dated: **3/24/25**
- ☒ DOC OMNI Records



☒ Other: **Letter from Thurston County Prosecuting Attorney dated 8/15/25; Individual Release Plan.**

VII. FINDINGS

- a. In preparation for this hearing, **Hershel Lakey** was advised of their hearing rights.
- b. **Hershel Lakey** appeared by video conference. He was represented by attorney Brandon West.
- c. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all potential conditions 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
 - Participation in Drug/Alcohol Treatment
 - Participation in Sex Offense Treatment
 - Prohibited Contacts
 - Sexually Explicit Material
 - Submit to Polygraphs
 - Unapproved Relationships
- d. The Board has considered the evidence favorable to **Hershel Lakey's** release determination, including the following:
 - ☒ Treatment/Programming: **Employed with positive work reviews. Prior completion of SOTAP (2024) and SUD/Level 3.3 Therapeutic Community (2023) among other programs.**
 - ☒ Protective Factors: **No serious infractions in over 10 years.**
 - ☐ Risk Assessment Scores:
 - ☐ Insight into sexual offending behavior



- ☒ Other Evidence: **ERD voucher release and community support/resources.**
- e. The Board has considered the evidence against **Hershel Lakey'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 programs or resources designed to assist in reducing an incarcerated individual's risk of re-offense (e.g., anger management, substance abuse treatment).
 - ☐ Serious and repetitive disciplinary infractions during incarceration.
 - ☐ Evidence of an incarcerated individual's continuing intent or propensity to engage in illegal activities (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).
 - ☐ Statements or declarations by the incarcerated individual that he or she intends to re-offend or does not intend to comply with conditions of parole.
 - ☒ Evidence that an incarcerated individual presents a substantial danger to the community if released. **4pts/Moderate-High Static 99R; 13pts/High Stable 2007; Bin 8/9 VRAG; 19pts/ Moderate PCL-R; ESRC has recommended that Mr. Lakey participate in a Forensic Psychological Evaluation (FPE) prior to a finding of parole.**
 - ☒ Other Evidence: **He has not had the opportunity to progress on his MRP.**
- f. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would not sufficiently reduce the likelihood of **Hershel Lakey** committing new offenses because:
- **Both static and dynamic risk assessments (Static 99R, Stable 2007; VRAG-R, and PCL-R) estimate Mr. Lakey's risk of sexual and/or violent re-offense to be moderate/high. In addition, his score on the PCL-R suggested that his personality structure may indicate an increased risk for future problems such as following laws or respecting the rights of others.**



- **The End of Sentence Review Committee (ESRC) Sexually Violent Predator (SVP) Subcommittee has recommended that an FPE be conducted to assess whether Mr. Lakey meets SVP criteria pursuant to RCW 71.09 prior to a finding of parole. Only a small percentage of the highest risk individuals are reviewed for and selected by the ESRC SVP Subcommittee for an FPE, indicative of the risk Mr. Lakey presents at this time. The FPE will also provide the Board with critical information related to Mr. Lakey's intent or propensity to engage in illegal activity and/or evidence of whether Mr. Lakey presents a substantial danger to the community.**
 - **Since he last met with the Board, Mr. Lakey has not engaged in recommended programs to develop additional skills toward rehabilitation. It should also be noted that Mr. Lakey would likely be unable to access lower levels of custody within DOC on a Mutual Re-Entry Plan (MRP) until the FPE has been completed.**
- g. 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, the Board rescinds their decision of March 24, 2025, finding **Hershel Lakey** conditionally parolable to a Mutual Reentry Plan and subsequently finds **Hershel Lakey** not parolable and adds 0 months to their 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

- ☒ Sober Support Groups.
- ☒ 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.
- ☒ Develop a release plan/community support.

JG vj

Date Typed: 10/6/2025

cc: Facility: **Airway Heights Corrections Center**
Hershel Lakey, Incarcerated Individual
File



TO: Full Board

FROM: **Jill Getty (VJ)**

RE: **Lakey, Hershel DOC #255710**

Panel recommends: The Board rescinds their decision of March 24, 2025, finding Hershel Lakey conditionally parolable to a Mutual Reentry Plan and subsequently finds Hershel Lakey not parolable but adds 0 months to their minimum term.

Next Action: Schedule a .100 Hearing approximately 120 days prior to Parole Eligibility Review Date.

AGREE (initial and date)	DISAGREE (initial and date)
Jill Getty 10/13/2025	Choose an item. Click to enter a date.
Corey McNally 10/13/2025	Choose an item. Click to enter a date.
Meghan Kelly-Stallings 10/13/2025	Choose an item. Click to enter a date.
Jeff Patnode 10/13/2025	Choose an item. Click to enter a date.
Kecia Rongen 10/13/2025	Choose an item. Click to enter a date.