### GOVERNOR'S ORDER CANCELING PAROLE PURSUANT TO RCW 9.95.160

IN THE MATTER OF:

Name:

PAULEY, Timothy Robert

DOC#:

273053

Date of Birth:

9/20/1958

Date of Sentence:

2/20/1981

Statutory Maximum Term:

Life

County:

King County Superior Court Cause #80-1-02459-7

**ACTION:** 

### CANCELLATION OF ISRB ORDER OF PAROLE

I, Bob Ferguson, Governor of the state of Washington, by virtue of the power vested in me by the Constitution and laws of Washington, including RCW 9.95.160, do hereby order and direct:

The Order of the Indeterminate Sentence Review Board (ISRB) of the state of Washington in this matter, dated February 19, 2025, attached hereto, is hereby CANCELLED. The Secretary of the Department of Corrections is ordered <u>not</u> to release TIMOTHY PAULEY, DOC #273053. The parole granted to Mr. Pauley by the ISRB in the attached order and any prior orders is cancelled.

### STATEMENT OF FACTS AND REASONING

This factual statement and decision reasoning are based solely on materials included in the ISRB hearing record.

In the early morning hours of June 12, 1980, Mr. Pauley entered a family diner along with an accomplice, armed with a loaded gun. Finding five people inside, Mr. Pauley and the accomplice brandished their weapons and forced the victims to lie down on the floor. The three women were forced at gunpoint to remove their clothing; two were then tied together with electrical cords around their necks, and the third was hung with a cord around her neck to a bar railing, which strangled her to death. The two men were tied up with electrical cord and sent back to the cooler, where Mr. Pauley shot both of them in their heads while they were bound. Mr. Pauley and his accomplice fled the scene. Two of the women survived after losing consciousness and being left for dead. After managing to break free from the cords, they found their loved ones brutally murdered. Mr. Pauley pled guilty to three counts of First Degree Murder and was sentenced to a maximum term of life in prison.

Mr. Pauley has been incarcerated for over four decades and is now approximately 66 years old. In April 2022, the ISRB found that, during his lengthy incarceration, Mr. Pauley has shown signs of rehabilitation. He has not received any serious infractions since 1995,

and he has not received a general infraction since 2012. Mr. Pauley has also never received a serious infraction related to violence during his time in custody. The ISRB record indicates that Mr. Pauley has abstained from drugs and alcohol since April 1995, and he has completed several chemical dependency treatment programs. He has also built community support and completed numerous self-help programs and education, as well as cognitive behavioral therapy programs and seminars to address his criminogenic risk factors. The ISRB's review of Mr. Pauley's 2021 psychological assessment also indicated that he has made positive strides in his rehabilitation. Several risk assessment tools rate his overall risk of offending as low in terms of violent recidivism.

At Mr. Pauley's March 2022 ISRB parolability hearing, the Board's statutory duty was to determine whether Mr. Pauley's "rehabilitation has been complete and he ... is a fit subject for release." RCW 9.95.100; RCW 9.95.009(3). The ISRB, citing many of the indicia of rehabilitation outlined here, unanimously found in April 2022 that Mr. Pauley rehabilitated and thus parolable. Former Governor Inslee disagreed and canceled Mr. Pauley's parole in May 2022, stating that although Mr. Pauley "expressed feeling ashamed for his 'horrible' actions," he also "distanced himself from his actions and the direct consequences of those actions. ... He referred to the victims and their families as 'them' and 'these people,' never directly acknowledging by name or apologizing to the victims and their families."

At his sentencing redetermination hearing in October 2022, Mr. Pauley offered an apology and described his understanding of the impact of his crimes on the victims, their families, and others. Two years later, on October 28, 2024, Mr. Pauley's attorney wrote to the ISRB, describing Mr. Pauley's "extensive and varied work" to "better express his genuine remorse and deep sense of accountability." The letter also cites Mr. Pauley's age of 66 as a "substantial mitigator of any risk of reoffense[.]" On the last full day of former Governor Inslee's term, January 14, 2025, he rescinded his prior cancellation order, thereby reinstating the ISRB's decision granting parole release for Mr. Pauley. The ISRB set Mr. Pauley's parole release date for March 27, 2025.

Mr. Pauley's involvement in programming aimed at rehabilitation is commendable, as is his record of nonviolent behavior during his long term of incarceration. However, I am concerned about what the record shows about Mr. Pauley when he is not actively working toward his goal of being paroled.

As of 2012, Mr. Pauley had been in prison for three decades and was "in many ways" an "exceptional offender ... in terms of programming and other accomplishments," as the ISRB put it. But a letter he wrote that year—which he intended only for his brother's eyes—reveals that even with thirty years' distance from his horrific crimes in which victims were terrorized, dehumanized, and killed in cold blood, he was still capable of seeing other people as less than human. The record indicates that Mr. Pauley wrote to his brother that a female DOC staff person was a "subhuman entity" and a "pathetic, imbred [sic] shitstain on humanity," and that he had "a bunch of crazy ideas floating through my head about how to make this asshole miserable ...." The same letter also referred to DOC

staff members as "despicable" and "pig brethren" and stated that Mr. Pauley "can't really argue with" other incarcerated individuals "ranting about how they all need to be killed." I find this letter to be revealing of Mr. Pauley's true state of mind, in some aspects more so than programs and assessments that he knows will become a matter of public record as he pursues a parole order. I am very concerned that Mr. Pauley was still capable of such thoughts toward others despite all of the rehabilitative efforts he had undergone by that point. While Mr. Pauley has since engaged in additional programming and other efforts, I remain concerned that this has failed to rehabilitate him. The record does not provide sufficient indication that Mr. Pauley appreciates the gravity of the dehumanizing attitude toward others that the 2012 letter reveals, or that he has genuinely overcome this attitude. The record also reflects the ISRB's undue emphasis on a determination that the letter did not constitute threatening language sufficient to find him guilty of an infraction. Whether the letter resulted in a formal infraction or not is irrelevant to Mr. Pauley's rehabilitation or his fitness for release.

Mr. Pauley's 2012 letter to his brother is far from the only reason for concern. The ISRB record repeatedly calls into question Mr. Pauley's sincerity, his genuine acceptance of responsibility, and the effectiveness of rehabilitative measures. For example, in 2019, the ISRB observed that Mr. Pauley "likely did not internalize the substance abuse treatment programming he received," as he had a positive urinalysis for substance use shortly after undergoing this programming. A 2019 substance use disorder assessment noted that Mr. Pauley had denied any history of drug use aside from marijuana, even though immediately after his crime in 1980, he reported frequent use of speed and experimentation with barbiturates, LSD, mescaline, cocaine, and PCP, A 2019 psychological evaluation indicates that Mr. Pauley sought to create an "overly positive image of himself" through his answers and "likely ... denied, downplayed, or has little insight into potential problems that he may have." All this, despite Mr. Pauley having participated in numerous offender change programs as of that time. The record further indicates that, in repeatedly undergoing the same psychological and risk assessment testing and subsequently learning the results, Mr. Pauley may have learned to provide responses that will produce a more favorable result, calling into question the reliability of assessments of his psychological well-being and risk of reoffending. Even so, a risk assessment conducted during a 2021 psychological evaluation still placed him in a category in which 34% of offenders with similar scores went on to re-offend within 5 years, and 60% re-offend within 12 years.

Since Governor Inslee's cancellation of his parole in 2022, Mr. Pauley has done additional rehabilitative work, and has been articulate in expressing regret and remorse. One must question, however, whether this comes from a place of true remorse rather than self-interest in being paroled. Having considered the ISRB record, I am unconvinced that Mr. Pauley is truly rehabilitated and fit for release at this time. I respectfully disagree with the ISRB and former Governor Inslee and do not find that Mr. Pauley's rehabilitation is complete under RCW 9.95.100.

Accordingly, I hereby CANCEL the ISRB's decision to grant parole release to Mr. Pauley. Consequently, I remand this matter to the ISRB for further proceedings consistent with this order.

This order takes effect immediately.

Signed and sealed with the official seal of the state of Washington on this 25th day of March, Two Thousand and Twenty-Five, at Olympia, Washington.

Ву

BILL STATE OF THE STATE OF THE

Bob Ferguson Governor

BY THE GOVERNOR

Secretary of State

Randy Bolerjack Deputy Secretary of State



### IN THE MATTER OF:

Name PAULEY, Timothy

DOC#: 273053 Date of Birth: 09-20-1958

Date of Sentence: 02-20-1981 Original Time Start: 02-20-1981

Max Expiration: Life

Statutory Maximum Term: Life County: King Cause #: 80-1-02459-7

Parole Date: 03-27-2025

# ORDER OF PAROLE AND SUPERVISION CONDITIONS

**PRE 84 OFFENSES** 

RCW 9.95.120 RCW 72.04A.070

The Indeterminate Sentence Review Board (ISRB) of the state of Washington, after carefully reviewing all available information, hereby orders the Secretary of the Department of Corrections (DOC) to release on parole supervision Timothy PAULEY, DOC #273053, an inmate of a Washington State Correctional Facility.

You are on parole supervision for 3 years. DOC Policy indicates: Pre - SRA offenders will be supervised as High Risk Violent for 12 months following release from prison/work release; then reassessed per DOC 320.400 Risk and Needs Assessment Process (for the next 24 months of supervision). The ISRB expects compliance with all conditions and your full cooperation with your DOC Community Corrections Officer (CCO).

The ISRB or the DOC Community Corrections Officer (CCO) may issue an order directing arrest and detention by suspending parole pending a review as provided for RCW 9.95.120.

#### PAROLE IS HEREBY GRANTED SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- 1. If you are convicted of a sex offense, as required by RCW 9A.44.130-140, within 3 business days of release, you must register as a sex offender with the Sheriff of the county where you reside.
- 2. Upon release from the Correctional Facility, you must report within one business day to your field case manager. Thereafter, you must report as directed.
- 3. You may not leave the state of Washington without a prior written travel itinerary approved of in advance by your field case manager. You must follow the approved itinerary, and any other written requirements.
- 4. You must obey all laws and court orders, including any conditions set forth in your Judgment and Sentence, and abide by all conditions imposed by the ISRB.
- 5. You are prohibited from owning, possessing, receiving, shipping, or transporting a firearm, ammunition, explosives or deadly weapon (Deadly weapon as defined in RCW 9A.04.110 (6)).
- 6. To monitor compliance with conditions and for officer safety reasons, you must submit to a search of your person, residence, vehicle, and/or possessions when requested by a field case manager. This includes search of your computer, cell phone, and any other electronic devices. A search is permissible when the field case manager has a reasonable suspicion that you violated a community custody condition and there is a connection between the suspected violation and the object(s) searched.
- You must consent to DOC home visits to monitor compliance with supervision. Home visits include access
  for the purpose of visual inspection of all areas of residence in which you live or have exclusive or joint
  control or access.

- 8. You must reside at a location and under living arrangements that have been approved in advance by your field case manager, and you must not change such arrangements/location without the prior approval of your field case manager.
- 9. If at any time you lack a permanent residence or become homeless for a period of more than three days, your field case manager shall require compliance with electronic monitoring until you obtain permanent housing, or the ISRB modifies or deletes this condition.
- 10. You must not threaten or exhibit assaultive behavior toward any Department of Corrections employee, contract staff or volunteer, or any family member of a Department of Corrections employee, contract staff or volunteer.
- 11. Pursuant to RCW 9.96.050, as amended by SB 5060 (1993), you will be issued a Final Discharge and Restoration of Civil Rights on Enter County Cause #: only when you have completed three years of parole in the community. Time spent in total confinement on a subsequent conviction while on parole does not apply toward the three-year date. Should your parole be revoked prior to completion of three years in the community, a Final Discharge will not be granted. If your sentence expires before you have spent three years on parole in the community, you may request a Final Discharge. In these cases, granting a Final Discharge remains discretionary with the Board.
- 12. If at any time, any court order that may impact your supervision is deleted, modified or added, you must immediately notify your case manager and the ISRB in writing.
- 13. Abide by any additional conditions listed.

# ADDITIONAL CONDITIONS RCW 72.04A.070 and RCW 9.95.120

## Additional Specific Condition(s):

- A. You may not enter the following exclusion zone: **Thurston County**, without the prior permission of the ISRB. To request an exception, you must make your request to the ISRB at least 3 business days prior to the date you wish to enter the exclusion zone. Exceptions may be made for medical purposes. Your intended medical provider must send documentation directly to the ISRB demonstrating the requested appointment/procedure has been scheduled. You will need to complete a limited release of information that will allow the ISRB or your field case manager to contact the requested provider to verify the appointment. However, you may travel on Interstate 5 in order to get to a destination outside of the exclusion zone so long as you do not stop within the restricted area. If you believe you need to travel into the restricted area for any other reason, you may write to the ISRB to request modification, and it will be considered on a case-by-case basis.
- B. You may not enter the following exclusion zone: **city of Snohomish, WA** without the prior permission of the ISRB. To request an exception, you must make your request to the ISRB at least 3 business days prior to the date you wish to enter the exclusion zone. Exceptions may be made for medical purposes. Your intended medical provider must send documentation directly to the ISRB demonstrating the requested appointment/procedure has been scheduled. You will need to complete a limited release of information that will allow the ISRB or your field case manager to contact the requested provider to verify the appointment. However, you may travel on Highway 2 in order to get to a destination outside of the exclusion zone so long as you do not stop within the restricted area. If you believe you need to travel into the restricted area for any other reason, you may write to the ISRB to request modification, and it will be considered on a case-by-case basis.

PAULEY, Timothy	273053
Incarcerated Individual's Name:	DOC#:

Additional Specific Conditions Continued.

- C. You must participate in Electronic Monitoring (EM) Program for the first 90 days of your supervision and follow all rules and requirements of the EM Program.
- D. You are prohibited from having any contact with any victim in your case or any member of their families, whether in person, telephonically, through a third party, by mail or email, or any other means of communication without the prior written approval of the ISRB and the court, if this was a court ordered condition of supervision.
- E. You must not use, possess or control any controlled substances without a valid prescription from a licensed health care provider.
- F. You must not use, possess, or purchase any alcohol.
- G. You must not use, possess or control any Marijuana/THC or enter any establishments whose primary purpose is the sale of Marijuana/THC. In order to appeal this condition, you must submit the following information directly to the ISRB: 1) A Department of Health (DOH) Medical Marijuana Authorization form that is signed by a DOH authorized practitioner per RCW 69.51A.030(2)(d)(iv) and 2) A letter from a licensed healthcare provider further describing your need for THC use and what alternatives have been considered. No use of THC is permitted while an appeal is pending.
- H. You must submit to periodic and random drug and/or alcohol monitoring through an agency approved by your field case manager and sign a full release of information allowing the treatment or monitoring agency to release information to your field case manager.
- I. You must stay out of establishments, such as bars, taverns, casinos, and cocktail lounges, where alcohol is the primary beverage served.
- J. You must not associate with known drug users or sellers, except in the context of a substance abuse treatment program or support group, such as Narcotics Anonymous, or other therapeutic settings approved by the field case manager.
- K. You must attend meetings at AA/NA (Alcoholics/Narcotics Anonymous) or some other recognized alcohol and/or drug self-help support group at least two times per week and provide proof of attendance to your field case manager as directed in writing. This may be modified by the field case manager and the ISRB after 12 months of full compliance.
- L. You must enter and complete all recommended substance use disorder treatment or aftercare programs as directed by your field case manager and sign all releases necessary to ensure that the field case manager can consult with the treatment provider to monitor progress and compliance.
- M. You must maintain any curfew as directed in writing by your field case manager.
- N. You must submit to a polygraph examination to be conducted by a polygraph examiner certified by the American Polygraph Association at the discretion of your field case manager to verify compliance with your release conditions. A failure to show up for a scheduled polygraph and/or attempts to use countermeasures as determined by the polygraph examiner may result in sanctions. You must sign a full release of information allowing the polygraph examiner to release information to your field case manager and the ISRB for the entire period of your supervision until you are granted a final discharge, or this condition is removed by the Board. IN AGREEING TO RELEASE UNDER THIS CONDITION, BOTH THE ISRB AND THE OFFENDER STIPULATE THAT THE RESULTS OF ANY POLYGRAPH EXAMINATION SHALL BE ADMISSIBLE IN ANY VIOLATION HEARINGS HELD BEFORE THE ISRB.

PAULEY, Timothy	273053
Incarcerated Individual's Name:	DOC#:
	ONAL CONDITIONS CONCLUDED
RCW	72.04A.070 and RCW 9.95.120
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	Indeterminate Sentence Review Board
02-19-2025	Mil. K. Getter
Date	DARFARBSSOOP44 TA Member's signature
02-19-2025	Signed by:
Date	Corey McNally
	Member's signature
	Welliner 5 Signature
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3/3/2024	Dinth Pla
Date: 17 25 35	Incarcerated Andividual dignature:
	Timothy PAULEY  Incarcerated Individual'  Printed Name:
	Markage Hulvidual Sprinted Name:
	I II I B A ////// KX I- // IF
	Witness's signature:

# Schmidt, Teresa M. (DOC)

From: Schmidt, Teresa M. (DOC)

Sent: Thursday, February 27, 2025 9:36 AM

To: DOC DL MCC RECORDS; Hobbs, Margarett C. (DOC); Harvold, Brian A. (DOC); Justus,

Douglas W. (DOC); Frank, Matthew J. (DOC); Rongen, Kecia L. (DOC); Debower, Ronda J. (DOC); DOC EOSR; DOC iCoach Transition and Resources; DOC Victim Services; DOC VW Sex Offender; McNeil, Kerri A. (DOC); Reentry Navigators; Trombley, Kathleen A.

(DOC); Tucker, Nadine E. (DOC)

**Subject:** 273053, PAULEY, TIMOTHY - Order of Parole - 2/19/2025

Attachments: 273053, PAULEY, TIMOTHY - PB20 - Order of Release - 2-19-2025.pdf

Attached is the Order of Parole. Please make copies as needed. The Order of Parole must be served on the incarcerated individual prior to his release; and a signed copy must then be returned to isrb@doc1.wa.gov.

Records Staff, please place a copy in the central file. A copy has already been scanned into OnBase under PB20.

If he refuses to sign the parole order for any reason the ISRB should be notified immediately, as that may be grounds to cancel his parole.

Parole Date: 03-27-2025

Case Manager: Douglas Justus

Thank you,
Teresa Schmidt – CRT
Indeterminate Sentencing Review Board
Cell Phone: 360-789-1043

Hours: M-TH 7:00 - 4:30 F 8:00 - 12:00

