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The Honorable Christine Gregoire  
Washington State Governor  
Capitol Building  
Olympia, Washington 98504

**Re: Clemency Petition for Barry C. Massey, Jr.**

Dear Governor Gregoire:

I am writing this letter on behalf of Barry C. Massey whose application for clemency has been sent to you with a recommendation to commute his sentence of life without parole (LWOP) to twenty-five years.

Twenty years ago as a public defender practicing criminal law in Seattle, I was well aware of the Massey case when it appeared in the news. I had occasionally stopped at the bait shop on my trips to McNeill Island State Penitentiary. I felt the senselessness of the murder and I wondered at the motivation of the young boys arrested for the crime. I did little else. I never offered assistance to the attorneys representing the boys. I do not recall following the case except to wonder how Barry Massey, then 13, could be tried as an adult and then acknowledging the boy received LWOP, a sentence none of my adult felony clients had received.

From time to time, I would be reminded of the anomalies of the case. The case would occasionally come up for discussion in my juvenile justice class at Seattle University, and even in the press. The case was never discussed in the numerous committees and State-wide boards on juvenile justice reform that I participated in. The case was not considered a juvenile matter. Massey had been declined and the sentence was the result of the adult sentencing standards.

It was not until I was approached by Beth Colgan five years ago while teaching at the Youth Advocacy Clinic at Seattle University School of Law that I grasped the compelling need to seek relief for Mr. Massey. Beth contacted the clinic to enlist students to work on an *Amicus Brief* supporting the PRP she would file on behalf of Barry. Reviewing the volumes of materials she had collected on the case, revealed to me the inadequacies of the defense and subsequent appeals.

Beth also discussed her impression of Barry Massey, the man he has grown-up to be. Her recital of his accomplishments and development in prison gave me a fresh perspective on the case.

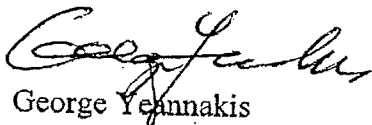
I have worked with groups of prisoners and often marvel at the ability of inmates to adapt to prison life and succeed in improving their lives. But, what I heard from Beth was a story of a boy who grew up in prison, becoming not only a model prisoner but also a model for other non-prisoners to aspire to. The chances of a 13 year old boy sentenced to LWOP succeeding in the State correctional system designed to house, not rehabilitate, adult criminals, are in my mind miniscule. I can only hope that you can also recognize the extraordinary nature of his accomplishment.

After listening to the presentation to the Clemency and Pardons Board I was convinced Barry's case is unique and there are many reasons this case stands out from the other youthful offender cases I have worked on in the twenty years since the murder. I found the testimony of former prison guards describing Barry in terms of a person, not as an inmate, to be very compelling.

While any one of the factors raised in the clemency petition -- the lack of effective advocacy; the questions of culpability; the extreme sentence; the young age or the character development of Mr. Massey -- might justify the reduction of the sentence to 25 years, but taken together these factors make this case extraordinary by any standard and worthy of your consideration of the request for clemency. I urge you to closely review Barry Massey's petition and to follow the recommendation of the Clemency Board to reduce his sentence to 25 years.

Please feel free to contact me, if you have any questions.

Sincerely,



George Yeannakis