



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
**INDETERMINATE SENTENCE REVIEW BOARD**  
P.O. BOX 40907, OLYMPIA, WA 98504-0907

**DECISION AND REASONS**

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NAME: VAN COURT, Billy  
DOC #: 623496  
FACILITY: Monroe Correctional Complex – Twin Rivers Unit  
TYPE OF HEARING: .100 Hearing  
HEARING DATE: March 8, 2017  
PANEL MEMBERS: KR & L R-G  
FINAL DECISION DATE: March 20, 2017

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This matter came before Kecia Rongen and Lori Ramsdell-Gilkey, who are members of the Indeterminate Sentence Review Board (ISRB or the Board) on the above date for a release hearing in accordance with the provisions of RCW 9.95.100. Mr. Van Court appeared in person and was represented by attorney Richard Linn. Testimony was provided by Department of Corrections (DOC) Classification Counselor(s) (CC) Frederick Rodgers and Mr. Van Court.

**BOARD DECISION:**

This was a Deferred Decision. Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and the totality of evidence and information considered by the Board, the Board finds that Mr. Van Court is parolable from King County Cause #83-1-01078-7, Count IV , to consecutive King County count IV, same cause number, on his PERD of June 18, 2017.

**NEXT ACTION:**

Schedule a .100 hearing three years prior to his next PERD in February 2020.

**JURISDICTION:**

Billy Van Court is under the jurisdiction of the Board on an October 7, 1983 conviction in King County Cause #83-1-01078-7 for Count IV – Indecent Liberties. The time start is January 28, 2014. The minimum term was set at 61 months from a Sentencing Reform Act (SRA) range of 46 months to 61 months. The maximum term is 10 years. Mr. Van Court has served approximately 37 months (407 months total time) in prison and 0 days of jail time.

**Note:** Other Causes/Counts: At the time of sentencing under this count, Mr. Van Court was also sentenced under Count I – Rape in the First Degree While Armed with a Deadly Weapon, Count II – Rape in the First Degree While Armed with a Deadly Weapon, Count III – Assault in the Second Degree While Armed with a Deadly Weapon, and Count VI – Indecent Liberties. Descriptions of those offenses are noted below.

At the time of sentencing the Judge recommended that the minimum term be set at Life without Parole with all sentences to run consecutively. The Prosecutor recommended that the minimum term be set at Life.

**NATURE OF INDEX OFFENSE(S):**

Count IV - Indecent Liberties occurred on March 27, 1983, Mr. Van Court approached a 12 year old female and a 6 year old male playing at Hicks Lake Park in Seattle. Mr. Van Court asked the female if she had seen his dog. He left the area returning a short while later. He asked the children again if they had seen his dog. At that time they offered to assist him in looking for his dog. Mr. Van Court led them to a secluded area of the park. He sent the little boy in another direction and offered the girl five dollars if she would pull her pants down. She refused. Mr. Van Court forced his hand down her pants and groped her vagina telling her he would not remove his hand until she pulled her pants down. At that time he pulled out his penis and was masturbating himself. The victim began to struggle and Mr. Van Court fled the scene.

The Board set the minimum term on this count at 61 months, consecutive to Count III. This is the count that the Board will be paroling him from. The Court set the maximum term at 10 years.

**PRIOR CRIMINAL CONDUCT:**

Count I – Rape in the First Degree while Armed with a Deadly Weapon occurred on March 29, 1983 when Mr. Van Court attacked and raped a 59 year old woman. He had watched her leave from her apartment and he confronted her, attempting to force her back into the apartment. The victim informed him she did not live there and stated she did not have the key. When Mr. Van Court was unsuccessful in forcing her back into the apartment, due to her resistance, he informed her he knew it was her apartment as he had been watching her for weeks. He used a knife in this assault, raped her vaginally and took two rings from her. The Board set the minimum term under this count at 144 months, consecutive to #77296.

Count II - Rape in the First Degree While Armed with a Deadly Weapon occurred on March 24, 1983, Mr. Van Court followed a 30 year old woman down a dark street late at night. When he caught up with her she began to scream. Mr. Van Court struck the victim, knocking her to the ground. He carried her to a yard across the street and took her clothes off and raped her vaginally. The Board set the minimum term under this count at 102 months, consecutive to Count I.

Count III- Assault in the Second Degree. On March 6, 1983 when a 30 year old female noticed that Mr. Van Court was standing in the dark on the west side of her house. She confronted him by asking what he was doing. She turned away from him and he attacked her from behind knocking her to the ground. He held the victim to the ground and forced a knife against her ribs. The victim struggled with Mr. Van Court and attempted to look at him. She was able to break his hold and Mr. Van Court threw her arms back one more time and fled the scene. The Board set the minimum term on this count at 90 months, consecutive to Count II.

Count VI - Indecent Liberties occurred on March 13, 1983, Mr. Van Court approached a 20 year old female at a bus stop in Seattle. He asked her about the bus schedule and before she could respond, he pulled a knife and threatened her. He forced her to a nearby yard and removed her clothing. During this process the victim struggled with Mr. Van Court and was cut on both hands

with the knife. The victim told him she had herpes. Mr. Van Court placed his penis between her buttocks. The Board set the minimum term at 102 months on this count, to be served consecutively to Count IV. Mr. Van Court has yet to begin serving confinement under this count. This count has a maximum term of 10 years.

Other adjudicated criminal history is as follows; in October 1966 a Violation of Article 86 of the UAFM, he received six months forfeiture of pay and a Bad Conduct Discharge, in May of 1969 he was convicted of Breaking and Entering, Larceny, and Possession of Burglary Tools. In February of 1971, he was convicted of Burglary in the Second Degree in King County. This incident involved Mr. Van Court and accomplices breaking into Seattle Community College. Mr. Van Court received a 15 year suspended sentence, however this suspended sentence was revoked in June of 1976 and the Board set the minimum term at 1 1/2 years.

In June of 1976 he was convicted of Burglary in the Second Degree in King County. This incident involved a woman informing police that Mr. Van Court was standing outside her window and peering into her home. When the police arrived they saw Mr. Van Court leaning partially through the victim's window removing a jewelry box from the window sill. The Board set the minimum term at 1 1/2 years consecutive to his previous burglary.

In September of 1976 he was convicted of Burglary in the First Degree and Rape in the First Degree, and Robbery all while Armed with a Deadly Weapon. In this incident the 30 year old unknown female was home alone. She let her dog outside and unknown to her, Mr. Van Court waited by the door. When she opened the door to allow her dog back inside, he forced his way into her home threatening her with a knife. Mr. Van Court proceeded to force the victim into her bedroom, threw her on the bed, forced a pillow over her mouth, and vaginally raped the victim multiple times over an hour. He then threatened the victim, went through her purse taking a small amount of change, took a bottle of beer from the refrigerator, and left the residence. Mr. Van Court was originally charged with three counts of Rape in the First Degree, two counts of Robbery, and one count of Burglary in the First Degree under this cause. The Board originally set

the minimum term on this offense at 10 years to run consecutive to his previous burglary charges. Mr. Van Court's time start under this cause was June of 1977 and he was later paroled in September of 1982. Mr. Van Court was on abscond status from his previous parole when he committed these offenses. Upon conviction under this cause his parole was then revoked and a new minimum term was set at 60 months.

It appears as though the rape that Mr. Van Court was not convicted of involved a 10 year old female who awoke to find Mr. Van Court with his hand over her mouth. He was armed with a knife and began rubbing and kissing the 10 year old female's vaginal area. He then took the girl out to the living room where her mother was sleeping on the couch. He proceeded to grab the girl's mother and took her to the bedroom where he vaginally raped her. After the assault, Mr. Van Court took a diamond ring from the mother and cash and two credit cards from her purse.

Mr. Van Court has reported being first arrested at the age of 13 or 14 years old for molesting a 6 year old neighbor girl. He reported at age 17 being "in and out" of the youth center and was confined in juvenile institutions twice for issues related mostly to burglary and theft.

Additional convictions are as follows; in August of 1968 he was convicted of Receiving Stolen Property in San Francisco and received a six month jail sentence. In October of 1969 he was convicted of Lewdness and carrying a Concealed Weapon which was subsequently stricken in June of 1971. In January of 1973 he was convicted of Simple Burglary in New Orleans. In April of 1973 he was arrested for Attempted Burglary in the Second Degree in Washington D.C. with an unknown disposition. In April of 1973 he was arrested for Attempted Burglary, Petty Larceny, and Loitering in New York with an unknown disposition. In February of 1974 he was arrested for Theft in the Second Degree in Portland, Oregon with an unknown disposition and in March of 1976 he was arrested for Rape in the Second Degree in King County which was subsequently dismissed on motion by the state.

**HISTORY/COMMENTS:**

The Board's last meeting with Mr. Van Court was in September of 2013 at which time he was paroled from Count III to Count IV.

Since his last hearing Mr. Van Court has not committed an infraction and has completed Job Readiness, Victim Awareness, Non Violent Communications, and most recently he completed SOTAP Aftercare.

CC Frederick Rodgers provided a summary of programming, behavior and release plan information for Mr. Van Court. CC Rodgers stated that Mr. Van Court has been at the work release program for a short period of time but he has not been a management problem. CC Rodgers stated that Mr. Van Court has a brother in the Lakewood area who is a community support and a resource for release address. He stated that Mr. Van Court has recently completed his prior employment position and is currently on the wait list for another position.

Mr. Van Court provided some context for sexual offending behavior by describing his offending over time. He said for most of his adult life outside of prison. He stated he attempted to enter treatment at the Western State Sexual Psychopath program but was denied as he was considered to be too high of an escape risk. Mr. Van Court discussed the history of his offending in a rather matter of fact manner. He appeared to have limited insight into his offending behavior but could describe his high risks. His description of his offending behaviors matched file material and Mr. Van Court did not minimize or try to justify his sexually assaultive behavior. He discussed his deviant thoughts and fantasies at the time that were centered on having forced sex with strangers.

Mr. Linn indicated that he believes Mr. Van Court does show insight into his offending behavior. Mr. Van Court indicated that since his participation in SOTAP, he believes he now has the skills to control his behavior as compared to how he used to when he was last in the community. Mr. Linn also pointed out the Mr. Van Court participated in 16 months of SOTAP and an additional six

years of aftercare. Mr. Linn further pointed out that Mr. Van Court has not been a management problem as well as areas in which Mr. Van Court has made risk related progress.

**INFORMATION CONSIDERED:**

In preparation for Mr. Van Court's hearing and its decision in this case, the Board completed a review of Mr. Van Court's ISRB file. The Board considered all information contained in those files, including but not limited to: the most recent DOC facility plan; information regarding institutional behavior and programming; any letters of support and/or concerns sent to the Board; the Pre-Sentence Investigation report; psychological evaluation completed by Dr. Wentworth on November 17, 2016. The Board also considered the testimony of the witnesses listed above.

**REASONS:**

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 9.95.009 (3) and RCW 9.95.100 the Board finds Mr. Van Court parolable to his next cause.

Mr. Van Court has an extensive history of sexual deviancy starting from an early age across both adult and child victims. However, Mr. Van Court is now 69 year of age and has significant medical issues that may mitigate his risk for violent/sexual re-offense. At his last hearing, at his age of 65, the Board was provided information that indicated Mr. Van Court has approximately six years to live.

In his most recent psychological evaluation, Dr. Wentworth notes that Mr. Van Court has moderate to high actuarial risks combined with a moderate level of protective factors, may result in a moderate to low/moderate level of overall risk. Dr. Wentworth further advised that Mr. Van Court may be reasonable candidate for transition to a less restrictive setting. In addition, he may benefit from programs such as Thinking for a Change (T4C) and vocational skill programs. Also, if

he is released to the community, he should participate in the community phase of SOTAP.

The Board would like to see Mr. Van Court continue to remain infraction free and follow the recommendations provided by Dr. Wentworth to include T4C, and any reentry programming as he gets near his new PERD. Additionally, the Board would like to see Mr. Van Court participate in Bridges to Life if it available to him.

KR: ts

March 28, 2017

March 28, 2017

cc: MCC-TRU  
Billy Van Court  
File  
Richard Linn, Attorney





STATE OF WASHINGTON

**DEPARTMENT OF CORRECTIONS  
INDETERMINATE SENTENCE REVIEW BOARD**

P.O. BOX 40907, OLYMPIA, WA 98504-0907

DATE: March 28, 2017

TO: Full Board

FROM: KR & LRG (Teresa)

RE: VAN COURT, Billy, #623496

Panel recommends: Find Mr. Van Court parolable to next count VI on his ERD of 06-18-2017.

Next action: Schedule a .100 hearing 3 years prior to the revised PERD.

<b>Agree</b>	<b>Disagree</b>
Lori Ramsdell-Gilkey 3-20-2017 Tom Sahlberg 3-20-2017 Jeff Patnode 3-20-2017 Kecia Rongen 3-20-17	