



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: Gilligan, Edward  
DOC #: 288541  
FACILITY: Monroe Correctional Complex – Twin Rivers Unit  
TYPE OF HEARING: .100 Hearing  
HEARING DATE: May 2, 2017  
PANEL MEMBERS: LRG, KR & EB  
FINAL DECISION DATE: May 15, 2017

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This matter came before Lori Ramsdell-Gilkey, Elyse Balmert and Kecia Rongen, 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. Gilligan appeared in person and was represented by attorney Richard Linn. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Steven Sager and Mr. Gilligan.

**BOARD 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. Gilligan is not parolable and adds 36 months to his minimum term.

**NEXT ACTION:**

Schedule .100 Hearing 120 days prior to his parole eligibility review date (PERD). The Board is hopeful that Mr. Gilligan will have completed the SOTAP again by the time we next see him.

**JURISDICTION:**

Edward Gilligan is under the jurisdiction of the Board on a January 29, 1985, conviction in Spokane County under Cause #84-1-00375-9 for Kidnapping in the First Degree. Mr. Gilligan was originally granted a suspended life sentence on his Board Cause and was committed as a sexual psychopath to Eastern State Hospital.

On November 10, 1987, after three years of treatment, hospital staff concluded that Mr. Gilligan could no longer benefit from further inpatient treatment and, as a result, the Court revoked his suspended sentence and imposed a 300 month minimum term from a Sentencing Reform Act (SRA) range of 77 to 102 months. The maximum term is Life. The prosecutor recommended 400 months and the Judge recommended 300 months confinement. Mr. Gilligan has served approximately 309 months in prison and 2,678 days of jail time.

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

According to file materials, on March 27, 1984, Mr. Gilligan, at his age of 32, drove up to an unknown 8 year old female who was walking between her father's apartment and her nearby home. Mr. Gilligan got out of his vehicle, grabbed the victim, and threw her on the floor of the passenger side of the vehicle. He then drove the victim to a remote location where he requested that she perform fellatio. The victim refused, and Mr. Gilligan proceeded to perform cunnilingus on her. Mr. Gilligan then again requested that the victim perform fellatio on him. The victim again refused, at which time he handed the victim her belongings and made her get out of the car. He then directed her to lie on the ground face down, and left the scene.

**PRIOR SEXUAL CRIMINAL CONDUCT:**

- On August 27, 1971, he was convicted in Torrance, California, Cause #P-40621 of Indecent Exposure and two counts of Battery. Mr. Gilligan was approximately 20 years of age at this time. Mr. Gilligan was committed to Atascadero State Hospital in California to participate in treatment as a Mentally Disordered Sex Offender after committing this sex

offense. He completed 18 months of treatment there, and was released in 1973 to probation.

- August 10, 1973, Mr. Gilligan was sentenced in Multnomah County, Oregon, under Cause #68759 of the crime of Sexual Abuse in the First Degree. In this incident, Mr. Gilligan stopped and asked an 11 year old girl for directions. When she approached the vehicle, she saw that Mr. Gilligan had exposed himself. He grabbed the girl around the back of her head and attempted to pull her into the vehicle through the window, towards his crotch area. He was then committed to the Oregon State Mental Hospital, where he remained until he was discharged on July 16, 1975.
- September 3, 1975, at his age of 24, Mr. Gilligan was convicted of Sexual Abuse in the First Degree in Salem, Oregon. Mr. Gilligan stopped his car, got out, and ripped off the dress of an adult woman. He also pulled off her bra, panties, and pantyhose. In this process the two struggled violently and fell to the sidewalk, where Mr. Gilligan began sucking on the victim's breasts. Witnesses came to the aid of the victim and Mr. Gilligan fled the scene, taking the victim's bra with him. He was sentenced to prison for three years, and was discharged on November 20, 1976.
- February 9, 1977, at his age of 25, Mr. Gilligan was convicted of Attempted Kidnapping in Oroville, California, Cause #85494. An 11 year old girl was walking down the street when Mr. Gilligan grabbed her from behind. He placed a hand over her mouth stating "Don't yell or I will kill you." He then began dragging her toward a parked vehicle. The girl struggled against him and was able to escape as he attempted to open the car door. He was sentenced to serve time in prison.
- September 28, 1978, at his age of 26, Mr. Gilligan was convicted of Kidnapping/Sexual Perversion in Garfield, California, Cause #149779. Mr. Gilligan approached a 12 year old girl who was walking home from school and grabbed her from behind. He put a hand over her mouth and dragged her to his vehicle. He placed the girl in his car and drove to

a nearby area. He then began kissing the victim and attempted to perform cunnilingus, while also kissing and fondling her breasts. He then drove the victim back to the area of her abduction, where he let her out of the car.

**HISTORY/COMMENTS:**

Mr. Gilligan's last hearing was held on May 5, 2015. At that time the Board found him conditionally parolable to a MRP and added 36 months to his minimum term. The Board noted this decision would likely trigger the End of Sentence Review Committee (ESRC) to request a Forensic Psychological Evaluation be completed for consideration of civil commitment. The ESRC did in fact make this recommendation and as a result Mr. Gilligan was not eligible per DOC policy to be placed in a lower custody setting for the purposes of the MRP. He has remained at Monroe Correctional Complex/Twin Rivers Unit since the last hearing.

The Sexually Violent Predator Evaluation was completed in September of 2016, by Amy Phenix, Ph.D. It concludes that Mr. Gilligan does not currently meet the criteria as a sexually violent predator and that based on the mitigating physical and mobility factors, he is not likely to engage in predatory acts of violence. This is the first hearing since receipt of the SVP evaluation.

Classification Counselor Steven Sager testified Mr. Gilligan is not a problem on the living unit. He has incurred no new infractions. Due to on-going medical issues he is unable to work and he will have issues transferring to a different facility based on these issues. He stated perhaps the Sage Unit at Coyote Ridge may be able to accommodate him. Mr. Gilligan spends most of his time in a wheelchair and has a "pusher" assigned to him. He is able to stand and walk with a walker for very short distances in order to work his leg muscles.

CC Sager stated he has not been leveled by the ESRC yet. The Board pointed out that Mr. Gilligan is required to "register" as a Kidnapper but probably not as a sex offender because his sexual offenses were committed before our sex offender registration laws were enacted. In addition, it

does not appear he was in custody or on supervision at the time of implementation. CC Sager stated Mr. Gilligan previously completed the SOTAP and Aftercare.

Mr. Gilligan reported his medical condition is likely to worsen with age and is not expected to improve. He indicated the pain is manageable. He is able to walk about 5 feet with the help of a walker.

Mr. Gilligan was asked about what was going on in his life over 40 years ago when he first offended. He said he was in a bad marriage and very stressed out. He indicated the “exposing” provided a release of anxiety and tension. He felt a freedom from his responsibilities. He stated he experienced a lot of mixed up emotions. He acknowledged he was using drugs as well. He and his wife were both involved in relations outside of the marriage.

Mr. Gilligan stated he was again using drugs at the time of his last offense of kidnapping. He was experiencing stress over the death of his father. He also acknowledged an ongoing sexual fantasy of forcing cunnilingus on a female that would then turn to willingness on the victim’s part. He acknowledged making the victim get into his car and driving her to an area where he orally raped her. He stated it was the first time he ever had remorse for a victim. He indicated he picked this victim because he was attracted to minors and she was vulnerable. He denied ever planning on physically hurting her. Mr. Gilligan was able to express some thoughts about how this offense may have impacted the victim and her family.

Mr. Gilligan claimed he is impotent and has no sexual interests whatsoever. He reported being non-sexual and more interested in a rocking chair or a Big Mac. He then admitted he does have an occasional sexual thought. Although he completed the SOTAP and Aftercare he admitted there are “some grey areas” he still needs to learn about. He was asked about his high risks and he listed: contact with minors; pornography; drugs/alcohol; and unapproved relationships with women.

Mr. Gilligan expressed an interest in being able to drive upon release someday. This Board member advised him that she was very concerned about him ever driving alone and advised him it would likely be prohibited.

Mr. Gilligan has managed to save several thousand dollars while incarcerated and is concerned about being able to support himself in the community. He is beginning to make contact with community resources to seek possible housing opportunities.

**INFORMATION CONSIDERED:**

In preparation for Mr. Gilligan's hearing and its decision in this case, the Board completed a review of his ISRB file. The Board considered all information contained in that file, 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 prepared by Andrew S. Corso Ph.D. and the SVP evaluation completed by Amy Phenix, Ph. D. The Board also considered the testimony of the witnesses listed above. In addition, the Board received an updated recommendation from the Spokane County Chief Criminal Deputy Prosecuting Attorney, John F. Driscoll, Jr. who recommended Mr. Gilligan **not** be released.

**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. Gilligan **not** releasable.

The Sexually Violent Predator evaluation determined he was not more likely than not to commit a predatory act of sexual violence if released. Primarily this is based on his physical limitations which appear to be legitimate and permanent.

The Board explained to Mr. Gilligan that we believe he is still a risk to the community and if released it would be up to him to monitor and control himself at all times. Unfortunately, because Mr. Gilligan chose not to re-enter the SOTAP as recommended by the Board previously, we are not at all convinced he has the ability to do so.

Although Mr. Gilligan may have physical limitations regarding mobility, without constant supervision, there is no way to ensure he would not have access to potential victims. If he did have access, we are not confident he would control any urges he may have. When last assessed by the SOTAP in May of 2014, Ms. Dandescu indicated Mr. Gilligan continued to present with high needs in two dynamic risk domains related to sexual deviancy and would likely benefit from additional treatment. We are adding enough time to his minimum term to allow for completion of the SOTAP.

LRG: ts

May 5, 2017

May 15, 2017

May 17, 2017

cc: MCC-TRU  
Edward Gilligan  
Richard Linn, Attorney  
File



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**INDETERMINATE SENTENCE REVIEW BOARD**  
P.O. BOX 40907, OLYMPIA, WA 98504-0907

DATE: May 15, 2017

TO: Full Board

FROM: LRG (*Teresa*)

RE: Gilligan, Edward/*DOC# 288541*

Panel recommends: Not parolable, add 36 months to MT

Next action: Schedule .100 hrg. 120 days prior to PERD

<b>Agree</b>	<b>Disagree</b>
Lori Ramsdell-Gilkey 5-15-2017 Jeff Patnode 5-15-2017 Elyse Balmert 5-15-2017 Kecia Rongen 5-15-17	