



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

DECISION AND REASONS

NAME: KING, Edward
DOC #: 279368
FACILITY: Monroe Correctional Complex – Twin Rivers Unit (TRU)
TYPE OF HEARING: .100 Hearing
HEARING DATE: May 2, 2017
PANEL MEMBERS: KR, LRG & EB
FINAL DECISION DATE: May 22, 2017

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. King appeared in person and was represented by attorney Richard Linn. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Tamara Mac Avoy and Mr. King.

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 rescinds their previous decision of conditional parole and finds that Mr. King not parolable and adds 90 months to his minimum term.

NEXT ACTION:

Schedule a .100 Hearing 120 days prior to his PERD. A new psychological evaluation is required for the next hearing. In addition, the Board would like an updated Forensic Psychological Evaluation at his next hearing.

JURISDICTION:

Mr. King is under the jurisdiction of the Board originally for five counts of Rape First Degree (all While Armed with a Deadly Weapon), two occurring under King County Cause #81-1-02299-1, and three occurring under Snohomish County Cause #81-1-00676-5. He is currently serving on the Rape First Degree While Armed with a Deadly Weapon, Count III, under Snohomish County Cause #81-1-00676-5, which has a time start of January 23, 2011, and a maximum expiration date of February 1, 2030. This Count had a mandatory minimum term of five years and a 20 year maximum term. Mr. King has served approximately 76 months on Count III, and 372 months total time in prison. The Rape First Degree, Count I, under this same cause reached its maximum expiration date in June of 2002, and Mr. King was previously transferred from Snohomish County Cause #81-1-00676-5, Rape First Degree, Count II, to the current Count III.

As stated above, Mr. King was also under the Board's jurisdiction for two Counts of Rape First Degree (WAWADW), King County Cause #81-1-02299-1. These counts have also reached their maximum expiration dates.

NATURE OF INDEX OFFENSE(S):

File materials describe the King County rapes as encompassing four victims aged 14 to 17 and 20, who were female hitchhikers that were strangers to Mr. King. The Snohomish County rapes involve three separate victims, two of whom were real estate agents showing homes, and the third being a home owner who had a for sale sign in her yard. Knives or screwdrivers were used in all of the rapes to threaten the victims. Detailed descriptions of these offenses are available in the criminal history summary. It should be noted that in past dictations and file materials it has been noted that Mr. King has admitted to up to 55 victims, the majority of the victims were described as prostitutes.

PRIOR CRIMINAL CONDUCT:

Mr. King disclosed that at age 16 he robbed a Jack in the Box Restaurant by driving up to the window and showing a rifle to the clerk. He then asked for the money and left. He was arrested for Armed Robbery and placed on probation for 14 months.

HISTORY/COMMENTS:

Mr. King's last hearing was held on June 2, 2015 and the Board found him conditionally parolable for a Mutual Reentry Plan (MRP) and added 36 months to his minimum term. The Board recommended that Mr. King transition through lower levels of custody, however also noted that a Forensic Psychological Evaluation (FPE) would likely be ordered.

As a preliminary matter, Attorney Richard Linn brought up the fact that the FPE that was received prior to Mr. King's hearing was meant for court proceedings to determine if someone should be civilly committed. Mr. Linn asked that the Board fund an "expert" to interpret the evaluation for the .100 hearing. He went on to say that the purpose of the .100 hearing was to determine if Mr. King was "rehabilitated" and the FPE is for court proceedings under RCW 71.09. Mr. Linn was informed that they do not have the resources to fund an expert and that if he wanted to bring an expert in like he has done in previous hearings we would consider that.

CC Tamara Mac Avoy testified that Mr. King continues to do well on the unit. He did have a job as a tutor but due to a PREA incident where he was the victim, he lost his job. He does have some health issues. For a potential release plan, he would like to go to the House of Mercy.

Mr. King testified that when he was interviewed for the FPE he had recently been the victim of a PREA incident and also had just learned of a serious medical diagnosis for his wife. He didn't believe he presented in the best light to the evaluator because of this. In regards to Mr. King's incident where he was a victim, he gave a lengthy explanation as to why his cellmate may have done this to him which seemed odd and not plausible.

Mr. King was open and honest about his offending, admitting that when he was committing these rapes, he was “addicted” to it and was actively fantasizing about raping women. He thought that women enjoyed being raped. He moved on from prostitutes to real estate agents during his time of offending because he did not find the prostitutes engaged in the fantasy like he wanted them too. He told himself that that he was not physically harming the victims which justified the rapes in his mind. He believes that when he had learned his own daughter was raped was when he changed his thinking and didn’t want to commit rapes anymore. He does believe that 55 rapes is probably accurate. Mr. King has been married for 44 years and was during the time that he was committing his rapes. Mr. King believes that 75% of the FPE is accurate and disagrees with the other portion.

Attorney Rich Linn argued that Mr. King should continue to be found conditionally parolable to allow the civil commitment process take place.

INFORMATION CONSIDERED:

In preparation for Mr. King’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; Forensic Psychological Evaluation completed by Dr. Harry Hoberman. The Board also considered the testimony of the witnesses listed above.

The original recommendation from the Judge and Prosecutor recommended that Mr. King be sentenced to 20 years on each count consecutive with a five year mandatory for the weapons enhancement.

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. King not releasable.

Since the Board found Mr. King conditionally parolable to MRP new information was received in the form of a FPE that indicates Mr. King meets the criteria as a sexually violent predator. The evaluator notes that Mr. King has both a paraphilic disorder (Rape/Non-Consent/Coercion) as well as Anti-Social Personality Disorder which both affect his ability to control his behavior. It also should be noted that Mr. King was over the age of 60 when this FPE was completed suggesting that he is at a higher risk than most 60 year olds. Although the Board notes Mr. King's positive behavior and programming, at this time, we are unable to find him fully rehabilitated and a fit subject for release.

KR: ts

(May 17, 2017)

May 22, 2017

cc: MCC-TRU
Edward KING
File
Attorney Rich Linn



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

DATE: *May 22, 2017*

TO: Full Board

FROM: *KR & LRG (Teresa)*

RE: KING, Edward/*DOC# 279368*

Panel recommends: Not parolable and adds 90 month to MT.

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

Agree	Disagree
Elyse Balmert 5-22-17 Lori Ramsdell-Gilkey 5-22-17 Jeff Patnode 5-22-17 Kecia Rongen 5-22-17	