



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

**DECISION AND REASONS**

---

NAME: BINGHAM, Charles  
DOC #: 249136  
FACILITY: Monroe Correctional Complex – Twin Rivers Unit (TRU)  
TYPE OF HEARING: .100 Hearing  
HEARING DATE: June 6, 2017  
PANEL MEMBERS: JP & KR  
FINAL DECISION DATE: June 19, 2017

---

This matter came before Jeff Patnode 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. Bingham appeared in person and was represented by attorney Richard Linn. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Melinda Murray and Mr. Bingham.

**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. Bingham is not parolable and adds 60 months to his minimum term.

**NEXT ACTION:**

Schedule a .100 hearing 120 days prior to PERD.

**JURISDICTION:**

Charles Bingham is under the jurisdiction of the Board on a September 19, 1986, conviction in Clallam County; Cause #6295 for Murder in the Second Degree. The time start is September 19, 1986. The minimum term was set at 360 months, aggravated up from a Sentencing Reform Act (SRA) range of 165 to 219 months. The maximum term is Life. Mr. Bingham has served approximately 76 months on his parole revocation and 283 months on the original sentence in prison. 281 days of jail time were applied to his guideline range at the time of the 1400 review. Mr. Bingham was originally sentenced to Aggravated Murder and received a sentence of Life Without Parole. He won an appeal in 1986 and was resentenced to Murder in the Second Degree.

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

According to file materials, in February 1982 Mr. Bingham, age of 25, raped and strangled to death an unknown, developmentally disabled 26 year old woman whom he had just met on a public bus. Reports indicate the victim had a mental age of approximately 8 to 9 years old. The reports indicate the victim was raped both vaginally and anally before she was strangled. She also had bite marks on both of her breasts. The victim's nude body was then left in a field.

**PRIOR CRIMINAL CONDUCT:**

Mr. Bingham has felony convictions for Forgery in 1976 and a conviction in 1979 for Non-Sufficient Funds in South Dakota. He was convicted on two counts of Second Degree Assault and Possession of Stolen Property in December of 1981. He also has a significant misdemeanor arrest history.

During his release on parole on the index cause Mr. Bingham was found guilty of gross misdemeanors for two counts of Harassment and Stalking on April 8, 2011. File documents indicate he was given jail time of 365 days on each charge, with 360 days suspended and five days credit for time served.

**HISTORY/COMMENTS:**

Mr. Bingham was released on parole on April 29, 2010. His parole was suspended on February 2, 2011, for six violations of parole. He was found guilty of five violations and his parole was revoked on May 31, 2011. Four of the violations involved Mr. Bingham attending AA (Alcoholics Anonymous) meetings where he found vulnerable women with whom he attempted to develop relationships. Once these women rejected him, his behavior escalated with text messages and telephone calls which were excessive in nature and quickly progressed to threats. Both women feared Mr. Bingham and made significant efforts to avoid contact with him. As mentioned previously, Mr. Bingham pled guilty in District Court to two counts each of Harassment and Stalking. The last violation was a sexual assault that involved a homeless, drug addicted woman who had accepted Mr. Bingham's offer to go to his home. This victim testified at his violation hearing that Mr. Bingham sexually assaulted her and told her if she reported the offense "no one would believe her because she was a drug addict." There was some indication Mr. Bingham had been drinking during his parole as well, although he denied using drugs or alcohol and was found not guilty on that specific violation.

This is Mr. Bingham's third .100 hearing with the Board since his revocation. His last hearing was in June of 2015 at which time the Board added 36 months to his minimum term and recommended he continue his work in SOTAP Aftercare.

Since his last hearing, Mr. Bingham has completed Bridges to Life and CBT Aftercare

Mr. Bingham's CC Melinda Murray testified that he has incurred no serious infractions since his last hearing. She stated he has not been a management issue. CC Murray stated Mr. Bingham plans to apply for a housing voucher to Skagit County and has community support from two friends that live in that area. She stated he has participated a few times in the AA program and completed Bridges to Life and CBT Aftercare since his last hearing.

Mr. Bingham provided a brief disclosure of his index offense. He stated he had no recollection of the actual murder (consistent with past accounts) though he states he believes he did it. Mr. Bingham stated he had been using drugs and alcohol since the morning of the day of the murder, which is why he believes he has no recollection. When asked why he believes he committed the murder, he had no idea and stated he had no previous thoughts of killing someone or insight into the why behind his offense.

Mr. Bingham, at the request of the Board, discussed his violation behaviors. Consistent with prior accounts, Mr. Bingham stated that he was attempting to help the women he victimized and that his actions were misinterpreted. Mr. Bingham stated he was attempting to help them with their sobriety and met both victims in AA/NA meetings. He denied sexually assaulting the additional victim who also testified against him at his revocation hearing. He stated repeatedly that he takes full responsibility for violation behavior, though he could not describe what he had done that was the cause of his situation and instead portrayed himself as the victim of circumstances.

**INFORMATION CONSIDERED:**

In preparation for Mr. Bingham's hearing and its decision in this case, the Board completed a review his DOC and ISRB files. 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; and the most recent psychological evaluation dated May 4, 2015, by Deborah Wentworth, Ph.D. 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. Bingham NOT parolable.**

Mr. Bingham continues to lack insight into his behavior in the community that resulted in the allegations and subsequent convictions against the two victims. He stated he could understand how he might be perceived by them based on his criminal history and background. However, in spite of him acknowledging how he might be perceived, he did not seem to make the connection to how inappropriate his behavior had been and how it relates to his convictions and return to prison. He stated he accepts the Board's decisions but still cannot describe his behavior in a way that indicates he is responsible. Additionally, Mr. Bingham's SOTAP Aftercare summary was not favorable and indicates he was not open to feedback while in the program and adopted a victim stance in relation to his revocation.

Mr. Bingham continues to lack insight into his violation behavior and the seriousness of such behavior while on parole for a murder/rape conviction. He has a summary of SOTAP aftercare that was not favorable and was in fact the opposite. The most recent psychological evaluation noted "His current stance of being unfairly revoked and his adamant denial of parole violations raises significant concerns that he understands his harmful impact on others." It also stated, "His lack of insight and questionable judgment does not bode well for his ability to function in society without close and intensive monitoring for the longest possible time period." This is the same information that was available at his last hearing and the concerns raised in the above excerpt does not seem to have changed based on Mr. Bingham's testimony in this hearing.

Mr. Bingham does not appear to be "fully rehabilitation and fit" and as such the Board cannot find him to be parolable. He continues to have an absence of understanding regarding his behavior during the short time he was in the community.

BINGHAM, Charles – DOC #249136

Page 6 of 7

Mr. Bingham should continue to make attempts to access offender change programs that will assist him in making better decisions if he is back in the community as well as gain insight into why he was returned to prison.

JP: ts

June 6, 2017

June 20, 2017

cc: MCC-TRU  
Charles Bingham  
File  
Richard Linn, Attorney



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

DATE: June 20, 2017

TO: Full Board

FROM: JP & KR (Teresa)

RE: BINGHAM, Charles #249136

Panel recommends: Not parolable, add 60 months to MT

Next action: Schedule .100 120 days prior to PERD

<b>Agree</b>	<b>Disagree</b>
Jeff Patnode 6-19-2017 Lori Ramsdell-Gilkey 6-19-2017 Elyse Balmert 6-19-2017 Kecia Rongen 6-19-2017	