



**Indeterminate Sentence Review Board  
Decision and Reasons Summary**

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Name: Bingham, Charles	DOC#: 249136	Case Type: PAR	Date: 2/13/2024
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**Note: This is a summary of the Decision and Reasons dated 2/26/2024, and should not be substituted for the full document.**

**Decision:**

**Not Parolable. Add 60 months to Minimum Term.**

**Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD.**

**The Board may see Mr. Bingham early upon notification that he has completed the Sex Offense Treatment and Assessment Program (SOTAP).**

**An updated psychological report will be required prior to the next hearing.**

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Sober Support Groups**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Non-Violent Communication**
- **Remain infraction free and have positive interactions with staff.**
- **Develop a release plan/community support.**



## DECISION AND REASONS

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NAME:	BINGHAM, Charles
DOC #:	249136
FACILITY:	Stafford Creek Corrections Center
DATE OF HEARING:	February 13, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Lori Ramsdell-Gilkey & Elyse Balmert
FINAL DECISION DATE:	February 26, 2024

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### **I. DECISION/LEGAL STANDARD**

This matter came before the above-named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a .100 hearing in accordance with [RCW 9.95.100](#). This statute directs the Board to not release an individual unless in the Board’s opinion his or her rehabilitation has been completed and he or she is a fit subject for release. Consequently, the Board finds Charles Bingham **not parolable** and adds 60 months to the minimum term.

The Board recently received correspondence from the Clallam County Prosecutor’s office indicating they are against his release and believe he is a high risk for violent behavior if released.

**NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may consider seeing him early upon notification that he has completed the SOTAP.**

### **II. 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 132 months on the parole revocation and 283 months on the original sentence in prison, and 0 days of jail time. 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.

### **III. LAST BOARD DECISION**

The Board last met with Mr. Bingham on October 6, 2020. He was found not parolable. The Board recommended Mr. Bingham participate in available programming to reduce his risk to the community and provide him with improved problem-solving skills. The Board indicated he may benefit from additional sex offense treatment.

### **IV. OFFENSE DESCRIPTION**

According to file materials, in February 1982 Mr. Bingham, age 25, raped and strangled to death a developmentally disabled 26-year-old woman whom he met on a public bus the day of the murder. Reports indicate the victim had a mental age of approximately 8 to 9 years old. The victim was on the bus with a friend and when the friend exited the bus. Mr. Bingham indicated he would make sure the victim made it back to her group home. Instead, he took her to a field where he raped her vaginally and anally before he strangled her to death. She also had bite marks on both of her breasts and her pubic hair had been singed. The victim's nude body was left in a field and discovered three days later.

### **V. OTHER RISK RELATED BEHAVIOR**

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. 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.

Mr. Bingham has an extensive criminal history that began in 1976 and continued right up to his arrest on the Murder in 1982. In 1977 he was accused of an aggravated assault against a woman and making harassing phone calls and threats towards a woman. The outcome of these charges is unknown. He was arrested for two counts of Second-Degree Assault and Possession of Stolen Property in December of 1981. This was pled down to one count of Reckless Endangerment and Possession of Stolen Property in the 2<sup>nd</sup> Degree.

## **VI. EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Charles Bingham's** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor William Lane, and Charles Bingham.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: Law Enforcement Notification draft
- Criminal case records: **Presentence Report, Criminal History documents**
- Psychological Evaluations: **Dated October 3, 2023**
- DOC Treatment and behavioral reports dated: **Sex Offense Treatment and Assessment Program (SOTAP) Community Treatment Progress report.**
- Risk Assessments:
  - Hare Psychopathy Checklist-REVISED (PCL-R) indicates the extent to which the individual has psychopathic tendencies.
  - *Violence Risk Assessment Guide-Revised (VRAG-R) is a 12-item actuarial scale designed to predict violent recidivism.*

- ***HCR-20v3** is an instrument that organizes known risk factors into three categories: historical, clinical, and risk management. Using past, present, and future factors the HCR-20v3 assesses dynamic risk for recidivism.*
- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R): **Findings and Conclusions dated May 31, 2011; Decision and Reasons dated October 26, 2020**
- DOC OMNI Records
- Other:

## **VII. FINDINGS**

1. In preparation for this hearing, Mr. Charles Bingham was advised of his hearing rights.
2. Charles Bingham appeared by video conference. Charles Bingham was represented by attorney Darrel Lahtinen.
3. The Board has considered all potential Conditions of Supervision it may lawfully impose, including all identified by the End of Sentence Review Committee (ESRC), DOC psychological evaluations, and [RCW 9.94A.704](#). These conditions include, but are not limited to, the following:
  - DRUG / ALCOHOL RESTRICTIONS
  - ELECTRONIC MONITORING
  - PARTICIPATION IN DRUG/ALCOHOL TREATMENT
  - PARTICIPATION IN SEX OFFENSE TREATMENT
  - PROHIBITED CONTACTS
  - SEXUALLY EXPLICIT MATERIAL
  - SUBMIT TO POLYGRAPHS
  - UNAPPROVED RELATIONSHIPS
4. The Board has considered the following evidence favorable to Charles Bingham’s release determination:
  - Treatment/Programming: **Mr. Bingham reported completing a correspondence course regarding Domestic Violence. He states he attends AA monthly and has a “sponsor”. He previously completed the Sex Offense Treatment and Assessment Program (SOTAP) in 2010.**
  - Protective factors:

- Risk Assessment Scores:
- Other evidence: **Submitted an Individual Release Plan (IRP). Has incurred no new serious infractions.**

5. The Board has considered evidence against Charles Bingham's conditional release ([WAC 381-60-160](#)), examples of adequate reasons for a finding of non-parolability include, but are not limited to:

- Failure to participate in available program or resources designed to assist and offender to reduce the risk of re-offense: **Mr. Bingham chooses to focus on the fact that he was technically found not guilty of a sex offense and chooses to look at it as a murder only. He also does not appear to see any connection of his violation behavior in the community to his predatory actions towards the victim of the murder.**
- Serious and repetitive disciplinary infractions during incarceration:
- Evidence of an inmate's continuing propensity to engage in illegal activity: **See recent psychological evaluation (October 3, 2023) which indicates Mr. Bingham is assessed to be a high moderate risk for violent recidivism, including future sexual offending, in less restrictive settings. He was also reported to be a "questionable" candidate for release.**
- Statements or declarations by the inmate that he or she intends to re-offend or does not intend to comply with conditions of parole:
- Evidence that an inmate presents a substantial danger to the community if released:

6. The Conditions of Supervision, and any favorable evidence noted above considered by the Board would not sufficiently reduce the likelihood of Charles Bingham committing new offenses because:

- **Mr. Bingham lacks insight into his violation behavior and the seriousness of such behavior while on parole for a murder that included the act of rape.**
- **His behavior in the community parallels his index conviction behavior and appears to indicate a pattern in his interactions with women in the community.**
- **Though he previously completed the Sex Offense Treatment and Assessment Program (SOTAP) he did not recall his identified risks.**
- **Dr. Robtoy indicated in the most recent psychological evaluation (October 3, 2023) that Mr. Bingham is assessed to be high moderate risk for violent recidivism, including future sexual offending in less restrictive environments. Dr. Robtoy further opines that he is a questionable candidate for release to a less restrictive setting. He previously tested in the high range for psychopathy.**
- **He has been referred by the ESRC for a Forensic Psychological Evaluation if found**

releasable. Only a small percentage of the highest risk sex offenders are reviewed for, and selected by the ESRC SVP Subcommittee for an FPE, indicative of the risk Mr. Bingham presents at this time.

- **Mr. Bingham does not appear to be a fully rehabilitated and fit subject for release and has made little progress since his last Board Hearing.**

7. Based on the requirements of [RCW 9.95.009\(3\)](#) and [RCW 9.95.100](#) and after weighing all of the totality of the evidence, including the community custody conditions and any favorable evidence noted above by the Board, the Board finds that Mr. Bingham is not parolable and adds 60 months to his minimum term.

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 9.95.100](#).

#### **VIII. RECOMMENDATIONS**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Sober Support Groups**
- **Other Programs, if eligible: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Non-Violent Communication**
- **Remain infraction free and have positive interactions with staff.**
- **Develop a release plan/community support.**

LRG: ts

2/20/2024

cc: Facility: SCCC  
Charles Bingham, Incarcerated Individual  
File



TO: Full Board

FROM: **LRG (Choose an item.)**

RE: BINGHAM, Charles DOC # 249136

Panel recommends: **Not Parolable and adds 60 months to MT**

Next action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see Mr. Bingham early upon notification that he has completed the SOTAP.

Agree	Disagree
Lori Ramsdell-Gilkey, 2.26.2024 Jeff Patnode, 2.26.2024 Jill Getty, 2.26.2024 Elyse Balmert, 2.26.2024	

\*Kecia Rongen not in attendance for deliberations.