



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

DECISION AND REASONS

NAME: KRUEGER, Alan
DOC #: 627969
FACILITY: Airway Heights Corrections Center (AHCC)
DATE OF HEARING: March 29, 2022
TYPE OF HEARING: .100
PANEL MEMBERS: Kecia Rongen & Jeff Patnode
FINAL DECISION DATE: April 11, 2022

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. In preparation for the hearing, the Board reviewed Mr. Krueger's ISRB file. Alan Krueger appeared in person and was represented by Attorney Don Miller. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Alicia Sanchez and Mr. Krueger. This hearing was held via videoconferencing.

LAST BOARD DECISION:

At the July 31, 2019, hearing, the Board found Mr. Krueger not parolable and added 48 months to his minimum term. The Board recommended Mr. Krueger write to the Sex Offender Treatment and Assessment Program (SOTAP) and request readmission to the program. It was also recommended that he should complete the Redemption Program and Thinking for a Change in an attempt to reduce his anti-social and criminal thinking.

CURRENT 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. Krueger is not parolable and adds 60 months to his minimum term.

NEXT ACTION:

Schedule a .100 hearing 120 days prior to his Parole Eligibility Release Date (PERD).

REASONS FOR DECISION:

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, the Board finds Mr. Krueger not parolable for the following reasons:

- Mr. Krueger scores in the high range of psychopathy, “which suggests his risk for reoffending is high based upon the amount of psychopathy indicators present.”
- Mr. Krueger scores in the moderate range on the SOTIPS, a measure intended to assess risk, treatment and supervision needs and progress among adult male sex offenders. He scores moderate-high on the Static 99-R and combined with the SOTIPS his risk is and he has high needs.
- Mr. Krueger’s overall risk is moderate/high in terms of violent and/or sexual recidivism.
- Mr. Krueger has cognitive decline; however, he also has identified treatment needs that are unmet, suggesting that his age is not a mitigating factor.
- Mr. Krueger is not fully rehabilitated and a fit subject for release.

RECOMMENDATIONS:

It is suggested that Mr. Krueger remain infraction free and participate in whatever programming he can within his cognitive abilities.

JURISDICTION:

Alan Krueger is under the jurisdiction of the Board on an October 6, 1980 conviction in Pend Oreille County Cause #7491 for Murder in the Second Degree. The time start is February 25, 1984. The minimum term was set at 132 months from a Sentencing Reform Act (SRA) range of 175 to 566 months. The statutory maximum term is Life. Mr. Krueger has served approximately 456 months (38 years) in prison and 0 days of jail time to date.

Mr. Krueger was convicted of Rape in the Second Degree, Pend Oreille County Cause #7465 on October 6, 1980. This cause was concurrent with #4737. His current cause ran consecutive to this cause. Past convictions include Thurston County Cause #4737 for Carnal Knowledge, Count I, and Parole Violation, Count II, October 27, 1977.

OFFENSE DESCRIPTION:

In 1979, Mr. Krueger met a 19-year-old unknown female victim at a bar and convinced her to give him a ride by promising to give her drugs. During the drive Mr. Krueger grabbed the victim and proceeded to strangle/suffocate her to death with his upper arm. He found a location to leave the victim's body, dragging her into the woods. When the victim's body was discovered approximately one month later, she was not wearing a shirt and her pants had been pulled down.

Mr. Krueger was on abscond status from supervision when this murder occurred.

PRIOR CRIMINAL/RISK RELATED CONDUCT:

May 2, 1973 – Soliciting a Minor for Immoral Purposes, two counts, Pierce County

Mr. Krueger, age 21, broke into a home in his neighborhood with the intent of raping two teenage girls living there. However, he left prior to committing any sexual acts. He was sentenced to 90 days jail on each count, to run concurrently.

November 7, 1973 – Carnal Knowledge, Thurston County Cause #C-4737

Mr. Krueger, age 21, picked up a 17-year-old girl and her friend while they were hitchhiking. Mr. Krueger tied the girls up and blindfolded them. He later untied them and released one girl. He

drove the 17-year-old to a rural area and told her that "the syndicate" was going to kill her sister if the victim did not film a pornographic movie with him. Mr. Krueger told her that "the syndicate" had hidden cameras in his vehicle, and to "make it look good". He then proceeded to rape the victim in the back seat of his car. He released her and she realized the story that he had told her to convince her to have sex with him was not true and she contacted law enforcement. Mr. Krueger was committed to the Sexual Psychopath Program at Western State Hospital on this offense. However, his suspended sentence was later revoked after he absconded from supervision and a minimum five-year sentence was imposed.

Prior to absconding and while Mr. Krueger was still in the Sexual Psychopath Program at Western State Hospital (WSH), he attempted to sexually assault another program participant's wife. The two ran into each other at a community college. Mr. Krueger asked the victim to smoke marijuana with him and she accepted. Mr. Krueger drove the victim to a secluded area and attempted to intimidate her into engaging in sexual activity. The victim was able to verbally dissuade Mr. Krueger and later reported the incident to WSH treatment staff.

December 14, 1979 – Rape Second Degree. Pend Oreille County Cause #7465

Mr. Krueger (age 27) picked up an unknown 17-year-old female near her high school under the pretext of asking her to help deliver some narcotics. He then drove to a secluded area, following which he slapped the victim several times and directed her to perform oral sex on him. He forced her to an area off the road and forced the victim to perform fellatio. After the assault, Mr. Krueger apologized to the victim and drove her back to her school. The victim did not initially report the incident because she did not want her parents to know that the initial contact had involved drugs. However, when she learned of the disappearance of the current victim, she decided to inform police. Mr. Krueger was on abscond status when he committed this offense. Mr. Krueger was sentenced to 10 years confinement, to run concurrently with Thurston County Cause #C-4737.

Mr. Krueger was also charged with Assault in the Second Degree under Pierce County Cause #56359 in November of 1979 while he was being prosecuted for Murder in Pend Oreille County. He admits he actually raped this victim and even recalled her name. The charge was later dismissed with prejudice due to a speedy trial violation.

During the time he had absconded from parole in 1979, Mr. Krueger was suspected of at least five additional rapes in the states of Washington, Idaho, and Alaska.

PRIOR CRIMINAL / RISK RELATED CONDUCT:

May 2, 1973 – Soliciting a Minor for Immoral Purposes, two counts, Pierce County

Mr. Krueger, age 21, broke into a home in his neighborhood with the intent of raping two teenage girls living there. However, he left prior to committing any sexual acts. He was sentenced to 90 days jail on each count, to run concurrent.

PROGRESS/BEHAVIOR:

Mr. Krueger is now housed in the infirmary due to his cognitive decline and so that he may receive additional support. He was removed from his tier representative position due to his cognitive decline and inability to do the job.

It is clear Mr. Krueger's memory is declining. At times he was lucid and at other times he appeared to be referring to decades ago in prison like it was present day. As an example, he indicated they had to send their motorcycles out of the prison and the bike shop closed.

Attorney Don Miller suggested getting back into SOTAP may be an option or sending him to a more supportive living environment such as Sage.

KR:ffo

April 7, 2022

cc: AHCC
Alan KRUEGER
Attorney Don Miller
File



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

TO: Full Board

FROM: Kecia Rongen (Fawn Opp)

RE: KRUEGER, Alan DOC# 627969

Panel recommends: Find Not Parolable and add 60 months to MT

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

| Agree | Disagree |
|---|-----------------|
| Kecia Rongen 4-11-2022 Jeff Patnode 4-11-2022 Lori Ramsdell-Gilkey 4-11-2022 Elyse Balmert 4-11-2022 TaTeasha Davis 4-11-2022 | |