



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

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Name: Coker, Joe	DOC#: 253235	Case Type: PAR	Date: 4/30/2024
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**Note: This is a summary of the Decision and Reasons dated 5/20/2024, and should not be substituted for the full document.**

**Decision**

**Not Parolable. Add 36 months to Minimum Term**

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

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), if eligible**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
- **Develop a release plan/community support**



## DECISION AND REASONS

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NAME:	COKER, Joe
DOC #:	253235
FACILITY:	Monroe Correctional Complex - Twin Rivers Unit
DATE OF HEARING:	April 30, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Elyse Balmert & Jill Getty
FINAL DECISION DATE:	May 20, 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 Joe Coker **not parolable** and adds 36 months to the minimum term.

Original Prosecuting Attorney recommendation was natural Life.

In a letter from Whatcom County Special Deputy Prosecuting Attorney David S. McEachran dated March 5, 2024, his recommendation in part reads "I strongly believe that the sentence delivered by the Superior Court "for the rest of his natural life" was proper and should be maintained. Mr. Coker still presents too great of a risk to the public to be released.

**NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD.**

## **II. JURISDICTION**

Joe Coker is under the jurisdiction of the Board on a April 26, 1983 conviction in Whatcom County Cause #82-1-00310-0 for Rape in the First Degree Count I and Burglary in the First Degree Count II. The time start is April 26, 1983. The minimum term was set at 146 months for Count I, from a Sentencing Reform Act (SRA) range of 48 to 66 months and 107 months for Count III, from a Sentencing Reform Act (SRA) range of 12 to 18 months, to be served concurrently. The statutory maximum term is Life for each count. Mr. Coker has served approximately 421 months in prison and 0 days of jail time during the initial period of confinement.

Joe Coker was paroled on May 31, 2018 and revoked on January 4, 2019. The new minimum term was set at 18 months. The current time served on revocation is 63 months.

Note: Other Causes/Counts: Coker previously served on Snohomish County Causes #7924 and #79756 for Grand Larceny by Possession and Grand Larceny Count II. Both causes have a 15-year Maximum Term and are concurrent. He was paroled from these Counts on June 22, 1979.

## **III. LAST BOARD DECISION**

On May 10, 2022, at a .100 Hearing wherein Mr. Coker was found not parolable, and Mr. Coker's minimum term was set at 36 months. The Board recommended he contact SOTAP and seek a return to treatment. The Board also recommended that he work on a more realistic release plan that considered his mobility and vision issues, as well as his long-term incarceration.

## **IV. OFFENSE DESCRIPTION**

In July of 1982, the victim began receiving harassing telephone calls. At first, the person on the other end of the phone would be silent. The victim received about 50 calls between July 1, 1982 and July 17, 1982. The calls then escalated to a male claiming that he knew the victim's name and knew her travel hours to and from work. In addition, an individual was entering her home while she was not there, leaving notes. Also, the victim was finding notes left on her back door/porch, and in her mailbox. At first the notes would state things such as, "Sorry I missed

you". However, within a few days, they were making threats to the victim stating, "I'm going to screw you", "I'll fuck you," and "You won't catch me, I will rape you soon." The victim made multiple reports of this activity to the police who were doing regular checks in the area of her apartment.

That behavior continued until July 27, 1982. On that date, the victim got off work in the evening, and decided to go back to her apartment, where she was not staying at this point, to check on things. She exited her car at the apartment complex, talked with some neighbors, and got back in her car to go to the store. She then exited her car at the store, and went in. The victim then returned to her car and began driving to a friend's home when she noticed her rearview mirror was not in the correct position. She reached up to re-position the mirror and an individual reached out from the backseat of her car, grabbed her arm, and told her that he had a gun. He advised her not to look at him, and from the feel of his hand, the victim believed he was wearing gloves.

He directed the victim to drive back to her apartment. Once at the complex, he told her to get out of the car and go straight to her apartment. The victim could see he was wearing a ski mask. The individual also showed the victim the small gun he was carrying. Once in the apartment, he told the victim to remove her clothing except for her underwear and pantyhose and lay on the floor. The man then tore the pantyhose and underwear off the victim and proceeded to engage her in penile/vaginal intercourse. While this was occurring, the suspect advised the victim not to look at him. He also made statements to the effect that no one would ever find out and referred to the fact that he'd told the victim he could get her when she was alone, and that he was going to rape her.

After the rape, the man took the victim to the bathroom and made her shower and douche. Through this process, he again made statements that no one would ever be able to catch him. The suspect then filled the bathtub with water, tied the douche bag around the victim's neck, and left apartment.

After being sure he was gone, the victim contacted the police and went to the hospital while they investigated the apartment. Officers briefly left the apartment during the investigation between 5:15 and 6:30 am. During that time, the suspect had apparently re-entered the apartment, and wrote on the window, "Tough having you tonight, rape."

The investigation continued over a period of time and Mr. Coker developed as a suspect as he seemed overly interested in the commission and investigation of the crime when talking with police who were canvassing the area. Also, he lived in the area of the victim, and had engaged in sexually inappropriate behavior with several women also living in the area. Mr. Coker also had a gun similar to the one used in the offense, as well as a windbreaker matching the description of the coat the suspect had worn during the offense. Also, he was linked by crime scene evidence, and also had access to a master key for the lock on the victim's apartment. Mr. Coker was later found guilty by a jury.

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

In the Prosecuting Attorney's statement under Snohomish County cause #7924, Mr. Coker admitted to having "sexual adjustment difficulties" including intercourse with a familial female age 12/13. In addition, his wife stated he had a preference to young girls, and that he also sexually abused a younger daughter, and had taken "indecent liberties" with a young neighborhood girl.

In addition, according to the May 2014 Psychological Evaluation, Mr. Coker admitted the following additional sexual behavior:

- At his age of 17, he was on a date and attempted to initiate a sexual encounter. According to Mr. Coker, she rebuffed him, and he attempted to force her to have intercourse. However, Mr. Coker could not get aroused. The victim began to mock Mr. Coker and slapped him. This aroused Mr. Coker and he proceeded to rape the victim. He described this as his first sex offense.
- Prior to his offense Mr. Coker spied on his neighbors and masturbated to the images.

- Mr. Coker fondled himself in front of women or groped them without permission at apartment buildings where he worked as the manager.
- Mr. Coker was fired from two jobs for rubbing his genitals in front of female co-workers and once, “flipping one of the girl’s tits.”
- Mr. Coker reported several sexual assaults involving strangers at bars. Mr. Coker stated the assaults did not often involve stalking, but often did involve some degree of violence, which increased his arousal.

## **VI. EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Joe Coker’s** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor Marie McGuffin, SOTAP Specialist Rachel Kennedy and Joe Coker.**

The file review included the following documents:

- ☒ End of Sentence Review Committee (ESRC) Reports: **Dated 5/15/2016 and 11/5/2009.**
- ☒ Criminal case records: **Judgement and Sentence 4/26/1983 and Affidavit of Probable Cause 9/14/1982.**
- ☒ Psychological Evaluations: **Dr. Robtoy Psychological Evaluation 12/5/2023 and Psychiatric Assessment 12/20/2023 C. Cady ARNP.**
- ☒ DOC Treatment and behavioral reports dated: **SOTAP Unsuccessful Discharge Summary 10/24/2023.**
- ☒ Assessments:
  - **Hare Psychopathy Checklist-REVISED (PCL-R) indicates the extent to which the individual has psychopathic tendencies.**
  - **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.**
  - **Personality Assessment Inventory (PAI) is a self-administered objective test of personality and psychopathology.**
  - **Saint Louis University Mental Status examination (SLUMS) is a brief screening tool to assess cognitive functioning.**
  - **Violence Risk Assessment Guide-Revised (VRAG-R) is a 12-item actuarial scale designed to predict violent recidivism.**

- Findings and Conclusion (F&C), Prior Decision & Reasons (D&R): **D&R 5/10/2022 and F&C 2/7/2019**
- DOC OMNI Records
- Other: **Whatcom County Prosecutor's recommendation 3/5/2024**

## **VII. FINDINGS**

1. In preparation for this hearing, Mr. Joe Coker was advised of his hearing rights.
2. Joe Coker appeared by video conference. Joe Coker 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
  - GEOGRAPHIC RESTRICTIONS
  - MENTAL HEALTH TREATMENT COMPLIANCE
  - 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 Joe Coker's release determination:
  - Treatment/Programming. **Completed Education Re-Entry, participates in religious programming, VA groups and Toastmasters.**
  - Protective factors. **He has community support.**
  - Risk Assessment Scores. **Static-99R 1-point Low Risk**
  - Other evidence: **Individual Release Plan.**

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

- Active refusal to participate in available program or resources designed to assist and offender to reduce the risk of re-offense (e.g., anger management, substance abuse treatment). **Terminated from SOTAP after a Success Plan Meeting.**
- Serious and repetitive disciplinary infractions during incarceration. **10/24/2023, #810 Fail Maintain, and 14 negative Behavior Observations since his last Hearing.**
- Evidence of an inmate's continuing intent or propensity to engage in illegal activity (e.g., victim harassment, criminal conduct while incarcerated, continued use of illegal substances).
- 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. **Dr. Robtoy evaluation notes that Mr. Coker is not a strong candidate for release. ESRC Risk Level Three, aggravated from a Level Two due to a pattern of behavior and documented information that increases risk for sexual re-offense.**

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

- **Classified as a Level 3 sex offender for community notification purposes. He scored a Level I on the Static 99R, however the End of Sentence Review Committee ESRC aggravated this due to documented information that increases risk for sexual re-offense and pattern of behavior that increases risk for sexual re-offense.**
- **Mr. Coker was terminated from SOTAP and continues to demonstrate a lack of insight into his offending behavior.**
- **Mr. Coker has incurred one new Serious Infraction for Fail to Maintain and 15 negative BOE's.**
- **Mr. Coker participated in a Psychological Evaluation authored by Lisa Robtoy, Psy.D. According to the report dated December 5, 2023, Dr. Robtoy was not convinced that Mr. Coker had made significant improvements and/or changes related to his rehabilitation and/or managing his risk factors over the course of the review period (since his 2021 psychological evaluation). Mr. Coker was assessed to be high moderate risk for violent recidivism, including future sexual offending in a less restrictive setting and Mr. Coker was not a strong candidate to be considered for release to less restrictive settings.**



- **Mr. has prior failures on supervision which is indicative of future failure in the absence of programming that includes skill development.**
- **It is unlikely at this time that conditions of release would sufficiently reduce the risk of re-offense.**

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. Coker is not parolable and adds 36 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**
- **Substance Abuse Treatment, Assessment and Follow Recommendations**
- **Sober Support Groups**
- **Mental Health Treatment (including any prescribed medications), if eligible**
- **Other Programs, if eligible. Such as: Thinking for a Change, Redemption, Bridges to Life, Alternatives to Violence, Domestic Violence Treatment**
- **Remain infraction free and have positive interactions with staff**
- **Participate in next Hearing**
- **Develop a release plan/community support**

EB: vj

5/2/2024

cc: Facility: MCC-TRU  
Joe Coker, Incarcerated Individual  
File



TO: Full Board

FROM: EB (vj)

RE: COKER, Joe DOC # 253235

Panel recommends: Not Parolable and adds 36 months to minimum term.

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

Agree	Disagree
<b>Lori Ramsdell-Gilkey, 5.20.2024</b> <b>Jeff Patnode, 5.20.2024</b> <b>Jill Getty, 5.20.20.2024</b> <b>Kecia Rongen, 5.20.2024</b> <b>Elyse Balmert, Not Present</b>	