



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

**DECISION AND REASONS**

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NAME: PLEMONS, Richard  
DOC #: 286922  
FACILITY: Airway Heights Corrections Center (AHCC)  
DATE OF HEARING: July 31, 2019  
TYPE OF HEARING: .100  
PANEL MEMBERS: Jeff Patnode and Lori Ramsdell-Gilkey  
FINAL DECISION DATE: August 14, 2019

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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. Plemons' ISRB file. Mr. Plemons appeared in person and was represented by Attorney George Marlton. Testimony was provided by Department of Corrections (DOC) Classification Unit Supervisor (CUS) Paul Duenich, who provided a summary of Mr. Plemons' behavior, programming, community support, and transition plans since his last .100 hearing in 2016. DOC Sex Offender Treatment and Assessment Program (SOTAP) Specialist Joseph Lyons provided a summary of Mr. Plemons' most recent treatment participation, which ended in April of 2019.

**LAST BOARD DECISION:**

The Board last met with Mr. Plemons on March 29, 2016, at a .100 hearing wherein Mr. Plemons was found not parolable and 60 months were added to his minimum term. The Board recommended he participate in additional programming in CBT based treatment such as Thinking For a Change, additional Chemical Dependency Treatment, or other offender change programs that may be helpful for Mr. Plemons.

**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. Plemons is not parolable and adds 48 months to his minimum term.

**NEXT ACTION:**

Schedule a .100 hearing 120 days prior to PERD. An updated psychological evaluation will be needed for Mr. Plemons' next .100 hearing. An updated Forensic Psychological Evaluation (FPE) would also be helpful as Mr. Plemons is now 60 years of age.

**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 does not find Mr. Plemons parolable for the following reasons:**

- **Mr. Plemons has not sufficiently addressed his highest risks.**

He was not accurately reporting his deviant arousal and associated reinforcement through masturbation during his most recent time in SOTAP treatment (disclosed with two weeks left in treatment out of a twelve month participation). Additionally, Mr. Plemons continues to be assessed as having a "high need" in the following dynamic risk factors: Hostility Toward Women; Poor Problem Solving; Sex Drive-Preoccupation; Sex as Coping; Deviant Sexual Interest, and Capacity for Relationship Stability.

- **Mr. Plemons is not fully rehabilitated and needs additional programming.**

His identified ongoing high needs areas include deviant arousal, using his interventions, and being transparent regarding his ability to appropriately manage his thoughts and sexual responses. Dr. Richel indicated in the recent psychological evaluation completed

in January of 2019, “Mr. Plemons should more fully invest in SOTAP treatment to acknowledge sexual deviancy as a motivating factor in his criminal behavior”. Dr. Timothy Richel opines “Mr. Plemons does not appear to have adequately mitigated key dynamic risk factors to such an extent that he could be relied upon to exercise effective coping in a less restrictive environment”. He goes on to say the Mr. Plemons is more than likely to recidivate if released to the community.

- **Mr. Plemons has two recent risk related serious sexual infractions since his last hearing.**

The most recent infractions include two Indecent Exposures (2017 and 2018), both of which involved him masturbating on his bunk, purposefully during a time in which female Corrections Officers (COs) would see him. He admitted during his hearing that these behaviors were sexually motivated and he was aroused to the thoughts of being seen by a female CO. This behavior is indicative of Mr. Plemons inability to stop illegal sexual behavior or control his sexual impulses.

#### **RECOMMENDATIONS:**

*Richard Plemons should continue to have positive behavior and be assessed for ongoing participation in any other sex offender treatment that might address his deviant arousal (with increased transparency). For his next hearing, he needs an updated psychological evaluation and FPE as he has passed a significant age threshold (60). The 2012 FPE, completed by Dr. Patterson, indicates the evaluator believes Mr. Plemons meets criteria for civil commitment under RCW 71.09. He would also benefit from programming to address his poor problem solving (possibly Thinking for a Change), as well as his hostility toward women and capacity for relationship stability.*

#### **JURISDICTION:**

Richard Plemons is under the jurisdiction of the Board on a November 15, 1982 conviction in King County Cause #82-1-02210-8 for Count II Attempted Murder in the First Degree. The time start is November 15, 1982. The minimum term was set at 480 months from a Sentencing Reform Act

(SRA) range of 176 to 236 months. The maximum term is Life. Mr. Plemons has served approximately 440 months in prison and 0 days of jail time.

**OFFENSE DESCRIPTION:**

At his age of 23, Mr. Plemons attacked a 14 to 15 year old girl as she was walking; he placed a webbed belt around her neck and strangled her to unconsciousness. He then drug her to a wooded area and took off her clothes and raped her, believing that she was dead. The victim did survive after being resuscitated by first responders.

**PRIOR CRIMINAL/RISK RELATED CONDUCT:**

The SOTAP Treatment Summary indicates that at his age of 14 to 15 Mr. Plemons attempted to rape a 60 year-old female neighbor. Both the SOTAP and Western State Hospital (WSH) reports indicate he stated that at his age 22 he raped a 22 year old female he met at a party who was intoxicated. He further disclosed that his deviant behaviors included exhibitionism/exposure, breaking into homes to steal women's clothing, deviant fantasy, use of force and/or a weapon to gain compliance and rape.

**Additional Disclosures:**

In one of the earlier police reports Mr. Plemons noted "I didn't mean to kill her. It was an act of instinct. Some girls I rape and fuck fight me and I didn't want her to fight. I have an active killer instinct. I have this crazy thing about killing. I had to do it so I could get a piece of ass off her". Mr. Plemons disclosed in SOTAP that he has six un-adjudicated victims.

**PROGRESS/BEHAVIOR:**

CUS Duenich provided a summary of programming, behavior, and other relevant activities for Mr. Plemons. He stated Mr. Plemons does have two risk related sexual infractions which he summarized. He stated Mr. Plemons has completed SOTAP and adjunct groups for a second time in April of 2019 and has been working in the Correctional Industries Food Factory.

Mr. Plemons initially stated that his two sex related infractions did not have a sexual motivation. When questioned further he admitted he was sexually aroused to the idea that he might be seen by the female Corrections Officer on the days he was infracted. Mr. Plemons could recite his high risk areas and interventions he learned in his most recent SOTAP. He also completed treatment in 2009, but still chose to commit the indecent exposure infractions for which he had no reasonable explanation. He was asked why he waited until he had two weeks left in his yearlong SOTAP before disclosing his level of deviant arousal and continued reinforcement through masturbation. Again Mr. Plemons could not provide a believable explanation.

SOTAP Specialist Joseph Lyons provided a summary of Mr. Plemons' most recent treatment participation, which ended in April of 2019. He stated Mr. Plemons had an issue with being transparent regarding his deviant arousal and when "his masculinity was challenged", he had increased deviant arousal to thoughts of rape and or exposure. He stated Mr. Plemons did indicate to him in treatment that the indecent exposure infractions were sexually motivated. Specialist Lyons indicated he was concerned that Mr. Plemons waited until two weeks left in treatment to disclose that he had been reinforcing his deviant arousal with masturbation instead of using skills to interrupt his thoughts (this was inconsistent with his reporting through the preceding 11 plus months of treatment). He stated his most significant ongoing concerns for Mr. Plemons are related to deviant arousal, sexual preoccupation, and power and control related to women.

JP:jas

July 31, 2019

August 14, 2019

August 28, 2019

cc: Institution  
Richard Plemons  
George Marlton, Attorney  
File



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

TO: Full Board

FROM: Jeff Patnode (jas)

RE: PLEMONS, Richard DOC #286922

Panel recommends: Find Mr. Plemons not parolable and add 48 months to his minimum term.

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

Agree	Disagree
<b>Jeff Patnode 8-14-2019</b> <b>Lori Ramsdell-Gilkey 8-14-2019</b> <b>Elyse Balmert 8-14-2019</b> <b>Kecia Rongen 8-14-2019</b>	