



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: KRUEGER, Alan  
DOC #: 627969  
FACILITY: Airway Heights Corrections Center  
DATE OF HEARING: July 31, 2019  
TYPE OF HEARING: .100  
PANEL MEMBERS: Lori Ramsdell-Gilkey and Jeff Patnode  
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. Krueger's ISRB file. Mr. Krueger appeared in person and was represented by Attorney George Marlton. Testimony was provided by Department of Corrections (DOC) Custody Unit Supervisor (CUS) Paul Duenich, who was filling in for DOC Classification Counselor (CC) Jeremy Garberg.

At sentencing the Judge recommended Mr. Krueger, "... not be considered for parole except under the unlikely occurrence that his mental disease reaches a remission and will remain so without medication." The Prosecutor recommended the fullest and longest sentence permitted.

In recent correspondence the Pend Oreille County Prosecutor's office continued to urge the Board to deny Mr. Krueger's release.

**LAST BOARD DECISION:**

At the March 29, 2016 hearing, the Board found Mr. Krueger not parolable and added 60 months

to his minimum term. The Board recommended additional programming in CBT based treatment such as Thinking for a Change (T4C) or other offender change programs that may be helpful for Mr. Krueger to move forward in his treatment progress. The Board also recommended that at future hearings Mr. Krueger take advantage of the opportunity to present the Board with evidence that supports his rehabilitation.

**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 48 months to his minimum term.

**NEXT ACTION:**

Schedule a .100 hearing approximately 120 days prior to 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 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:**

- **Refused to participate in Board requested psychological evaluations in 2016 and 2019.**
- **Prior arrests and sexual deviancy treatment failed to deter further offending while on parole.**
- **Sexually offended while participating in an inpatient sexual deviancy program at Western State Hospital.**
- **Has previously demonstrated he cannot or will not comply with conditions of supervision while in the community by absconding and by committing new sexual offenses while on abscond status.**

- **A Forensic Psychological Evaluation completed in 2012 with Mr. Krueger’s participation concluded Mr. Krueger is psychopathic and suffers from a disorder of sexual deviance.**
- **Mr. Krueger has not been honest with treatment providers regarding the sexual motivation behind the homicide, making it difficult to know if his true risks were being addressed adequately.**
- **Even after his completion of a third round of sexual deviancy treatment in 2014, concern for his attitudes supportive of rape remained high. These concerns included deviant sexual interests and antisocial orientation. His progress in treatment was described as “adequate”.**
- **Though recommended at the last Board hearing, Mr. Krueger has failed to participate in any additional offender change programming to address his risks.**

#### **RECOMMENDATIONS:**

The Board would like Mr. Krueger to write to the Sex Offender Treatment and Assessment Program (SOTAP) and request readmission to the program. He should disclose the sexual component of the homicide that he failed to reveal and address previously while in treatment with them. Mr. Krueger should complete the Redemption Program and Thinking for a Change as well, in an attempt to reduce his antisocial and criminal thinking.

#### **JURISDICTION:**

Alan B. 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 March 25, 1984. The minimum term was set at 132 months from a Sentencing Reform Act (SRA) range of 175 to 233 months. The maximum term is Life. Mr. Krueger has served approximately 466 months total time in prison on this cause.

#### **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, WA.**

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.

**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 2nd 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 ten years confinement, to run concurrently with 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. 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.

**PROGRESS/BEHAVIOR:**

CUS Paul Duenich stated he has known Mr. Krueger for several years. He has received no new serious infractions since his last hearing in 2016. He works as the Tier Representative and receives positive performance reviews. He previously worked in Correctional Industries. As he has aged he has more aches and pains, so needed a less physical job. He has completed no additional programming since the last Board hearing in 2016. He receives visits from three sisters.

Mr. Krueger admitted that he refused to participate in the last two psychological evaluations. He indicated that he saw no reason to do so since, in his view, his evaluations always turn out positive yet he does not get paroled.

Mr. Krueger indicated he does not participate in mental health therapy and takes no mental health medications. His physical health is okay. He said his sisters visit fairly regularly. He is interested in releasing to Pierce County to obtain services and housing through the Veterans Administration at American Lake.

Regarding the index offense of Murder in the Second Degree, Mr. Krueger stated, "It was sexually motivated, which this Board has never heard from me before." We asked him "how" it was sexually motivated and he stated, "I told her I wanted sex and she didn't give it to me." He said they started to struggle and he put his arm around her neck. He denied he touched her sexually at all, but said he did have sexual thoughts about the victim. He admits he denied all sexual motivation to this offense previously and stated even in treatment he would not admit to that piece of it. He did acknowledge it may have been valuable had his treatment providers been aware of this piece of the puzzle.

Mr. Krueger admitted he has other rapes he committed that he has not been arrested for and/or charged with. He declined to provide an estimate of just how many this would be.

Mr. Krueger stated he would be willing to participate in a psychological evaluation prior to his next scheduled hearing. He also indicated he would participate in additional programming and be honest. Mr. Krueger apologized for his previous lies to the Board.

Mr. Krueger is not fully rehabilitated and a fit subject for release. He remains too high of a risk for sexual or homicidal re-offense to release him to the community at this time. It is hoped that additional offender change programming to address his antisocial orientation and sexual

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deviancy, along with his new commitment to be honest with his treatment providers, might reduce his risk to an acceptable degree.

LRG:jas

August 9, 2019

August 15, 2019

cc: Institution  
Alan Krueger  
George Marlton, Attorney  
File



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

TO: Full Board

FROM: LRG (jas)

RE: KRUEGER, Alan, DOC #627969

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

Next action: Schedule .100 hearing 120 days prior to PERD (parole eligibility review date).

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