



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

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Name: FRICK, Charles	DOC#: 258422	Case Type: PAR	Date: 10/22/2024
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**Note: This is a summary of the Decision and Reasons dated 11/13/2024, and should not be substituted for the full document.**

**Decision:**

**Not Parolable. Add 48 months to Minimum Term**

**Next Action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see him sooner upon notification he has completed the Sex Offense Treatment and Assessment Program (SOTAP). The Board will also need an updated psychological evaluation for his next hearing.**

**Recommendations:**

- **Sex Offense Treatment and Assessment Program (SOTAP), 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:	FRICK, Charles
DOC #:	258422
FACILITY:	Airway Heights Corrections Center
DATE OF HEARING:	October 22, 2024
TYPE OF HEARING:	.100
PANEL MEMBERS:	Jeff Patnode & Jill Getty
FINAL DECISION DATE:	November 13, 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 rehabilitation has been completed and he is a fit subject for release. Consequently, the Board finds Charles Frick **not parolable** and adds 48 months to the minimum term.

**NEXT ACTION: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see him sooner upon notification he has completed the Sex Offense Treatment and Assessment Program (SOTAP). The Board will need an updated psychological evaluation for his next hearing.**

### **II. JURISDICTION**

Charles Frick is under the jurisdiction of the Board on a May 17, 1983 conviction in King County Cause #82-1-03262-6 for Rape in the First Degree, CT II. The time start is March 28, 1984. The minimum term was set at 240 months from a Sentencing Reform Act (SRA) range of 112 to 154 months. The statutory maximum term is Life. Mr. Frick has served approximately 408 months in prison and 0 days of jail time during the initial period of confinement.

Revoke(s): Frick was released on August 30, 2018 and revoked on July 29, 2021. The new MT was set at 18 months. The time served on revocation is 38 months. Total time served on this cause is 446 months.

Mr. Frick was on parole at the time of the above offenses. He had been paroled from a 1977 Burglary First conviction under King County Cause #83322. (See Prior Offense section below for details.) Mr. Frick was paroled in 1981 but subsequently suspended when he was arrested on his current offenses in 1982. This cause reached its maximum expiration date in 1997.

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

The Board last met with Mr. Frick on April 26, 2022 in a .100 Hearing. The Board found him not parolable and added 48 months to his minimum term. The Board recommended he be assessed for participation in the DOC Sex Offense Treatment and Assessment Program (SOTAP) as well as programs designed to address the issues related to anger and use of aggression. The Board further recommended, if unable to re-enter the SOTAP, he will need to review any SOTAP “homework” he previously completed to help him recall his risks and interventions as the Board will certainly ask him about these at his next hearing. He should also be referred to the T4C program. He should write out a detailed release plan that addresses how he will deal with frustrations with housemates, how he will build a pro-social support group, and what he will do to be more open and honest with his CCO.

Prior to his last .100 Hearing, Mr. Frick was seen by the Board on July 8, 2021, at an in-custody revocation hearing. At that hearing, the Board found Mr. Frick guilty of possessing a knife on his person, in violation of a special condition and possessing sexually explicit material. He was revoked and the Board set a new minimum term of 18 months. The Board recommended he be reassessed for participation in the Sex Offender Treatment and Assessment Program (SOTAP), and he participate in any available programming to address his thinking errors.

#### **IV. OFFENSE DESCRIPTION**

Regarding Count I, Rape in the Second Degree: on June 19, 1982, Mr. Frick, at his age of 32, attended a party at the residence of the adult female victim. Mr. Frick was on the same baseball team as the victim's boyfriend. He returned to the residence about 1:45 a.m. after everyone else was gone. He entered the apartment under the guise that he had forgotten something. Mr. Frick grabbed the victim by the throat and a struggle ensued. The victim began screaming, and Mr. Frick threatened to kill her if she did not stop. After the sexual assault the victim and her boyfriend identified Mr. Frick through a photo montage.

Regarding Count II, Rape in the First Degree while armed with a deadly weapon: on October 12, 1982, Mr. Frick entered the apartment of an unknown 26-year-old female and sexually assaulted her. He used a knife to threaten the victim and keep her quiet. After the assault Mr. Frick remained in the apartment for at least an hour talking about himself and telling the victim he had recently released from prison. The victim was able to identify Mr. Frick as someone she had seen around her apartment complex and through a photo montage.

Regarding Count III, Attempted Rape in the Second Degree: Mr. Frick met the adult victim and a couple of days later, on October 21, 1982, the two went to a local tavern and then went to the victim's apartment to continue drinking. While at the apartment Mr. Frick grabbed the victim by the throat and knocked her to the floor. The victim was struggling and screaming; however, Mr. Frick was able to remove her clothing. He attempted to vaginally rape the victim but was unable to penetrate her. A neighbor heard the victim's screams and called 911. Mr. Frick stopped the attempt when the victim stated that she was ill and needed to use the restroom. The victim fled the apartment. Mr. Frick was apprehended a week later.

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

October 8, 1977: Burglary First Degree, King County Cause #83322.

Mr. Frick entered an apartment of a female acquaintance who was asleep on her couch. Mr. Frick jumped on top of her, covered her mouth, and then put a towel in her mouth. The

victim struggled and Mr. Frick pulled her to the floor. He strangled the victim until she lost consciousness. Mr. Frick then left the apartment. The victim was able to identify Mr. Frick as her attacker. Mr. Frick received a 20-year maximum term and was paroled in 1981.

September 20, 1974: Strong-Arm Rape amended to Sexual Battery, Kettering, Ohio.

Mr. Frick stated that he met a lady that he cared for very much, but that she teased him sexually. Mr. Frick indicated that he “eventually used physical force to seduce her”. He indicated that he was under the influence of alcohol at the time and that he received five years of probation.

Mr. Frick disclosed two additional sexual assault victims in a previous psychological evaluation. The first incident occurred when he was 26 years old and hitchhiking in Oklahoma. Mr. Frick encountered a woman whose car had broken down and was walking to a telephone. He pulled her to the side of the road and raped her. He then left her on the side of the road.

Mr. Frick additionally reported at age 27 he entered the apartment of a woman whom he had previously met on the beach in Chelan, Washington. Mr. Frick stated that she had been sleeping on her couch, and he placed his hand over her mouth and raped her.

According to Mr. Frick’s Sex Offender Treatment Assessment Program (SOTAP) Treatment Summary, he reported five un-adjudicated victims. It is believed these include the two mentioned above. Some of the victims were female strangers, and all incidents included threats of violence.

## **VI. EVIDENCE CONSIDERED**

The Board considered the evidence presented at the hearing and reviewed **Charles Frick’s** ISRB file. The hearing was audio recorded and will be retained per retention schedules. Testimony was provided by the following individuals: **Classification Counselor Danielle Douglas and Mr. Charles Frick.**

The file review included the following documents:

- End of Sentence Review Committee (ESRC) Reports: Dated
- Criminal case records: **PSI dated 4-06-1984**
- Psychological Evaluations: **Ph. D Robtoy dated 11-15-2021**
- DOC Treatment and behavioral reports dated:
- Risk Assessments (Static, SOTIPS etc.):
  - **Stable-2007** is an empirically derived actuarial risk tool commonly used to assess treatment, and supervision needs of sex offenders.
  - **Static-99R** is an actuarial risk prediction instrument designed to estimate the probability of sexual and violent recidivism. It is the most widely used sex offender risk assessment instrument in the world.
- Findings and Conclusion (F&C) 7-15-2021, Prior Decision & Reasons (D&R): 5-09-2022
- DOC OMNI Records

## VII. FINDINGS

1. In preparation for this hearing, Mr. Charles Frick was advised of his hearing rights.
2. Charles Frick appeared by video conference. Charles Frick was represented by attorney Brandon West.
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:
  - ELECTRONIC MONITORING
  - GEOGRAPHIC RESTRICTIONS
  - 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 Frick's release determination:

- Treatment/Programming. **He has previously completed the DOC prison and community portions of the SOTAP as well as the Thinking for a Change program since his revoke.**
- Protective factors. **He has a release plan and supervision.**
- Risk Assessment Scores. He scores low moderate on the Static 99-R
- Other evidence:

5. The Board has considered evidence against Charles Frick'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). **When screened for the SOTAP, he refused the program.**
- Serious and repetitive disciplinary infractions during incarceration.
- 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. **He demonstrated no insight into his violation behavior from his last release and indicated he did nothing wrong "accept trust his CCO".**
- Evidence that an inmate presents a substantial danger to the community if released. **He is an ESRC recommended level Two for community notification, aggravated from a level One due to documented information that increases his risk for a future sexual offense. He also scores High on the Stable 2007 (+14) and High on the PCL-R.**

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

- **Since his revocation, he has refused to participate in the DOC SOTAP, though his violation behavior was clearly risk related and sexual in nature. As he has not completed risk related programming since his revoke, the Board sees no evidence that he has gained new skills to assist him in being compliant with conditions or refrain from committing a new sex offense.**
- **The most recent psychological evaluation opines "that the combination of Mr. Frick's actuarial risk and personality structure make him high risk for violent and/or sexual recidivism."**
- **He has an extensive history of sexual assaults to include stranger victims in the community.**

- **The Psychologist recommended Mr. Frick demonstrate proficiency in the programming recommended by the Board before he is considered for potential release to the community. She further recommended he complete the SOTAP, T4C and anger management.**
  - **It is unlikely that conditions of release would sufficiently reduce his risk of re-offense as he failed to abide by special risk related conditions when last released. Additionally, he takes no responsibility for his violation behavior and fails to admit he did anything wrong on his last release.**
  - **He is an ESRC recommended level Two for community notification.**
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. Frick is not parolable/conditionally parolable to a MRP/not parolable and adds 48 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**
- **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**

JP: hd

10/22/2024

cc: Facility: AHCC  
Charles Frick, Incarcerated Individual  
File





TO: Full Board

FROM: **JP** (hd)

RE: FRICK, Charles DOC # 258422

Panel recommends: **Not Parolable**

Next action: Schedule a .100 Hearing approximately 120 days prior to PERD. The Board may see him sooner upon notification he has completed the Sex Offense Treatment and Assessment Program (SOTAP). The Board will need an updated psychological evaluation prior to his next hearing.

Agree	Disagree
Jeff Patnode, 11.13.2024 Corey McNally, 11.13.2024 Jill Getty, 11.13.2024 Elyse Balmert, 11.13.2024 Kecia Rongen, 11.13.2024	