



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

DECISION AND REASONS

NAME: Blanchard, Robert
DOC #: 625191
FACILITY: Monroe Correctional Complex –Twin Rivers Unit (TRU)
DATE OF HEARING: November 20, 2018
TYPE OF HEARING: .100
PANEL MEMBERS: Elyse Balmert and Lori Ramsdell-Gilkey
FINAL DECISION DATE: December 10, 2018

This matter came before the above named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for his ninth .100 hearing in accordance with RCW 9.95.100. In preparation for the hearing, the Board reviewed Mr. Blanchard's ISRB file. Mr. Blanchard appeared in person and was represented by Attorney Darrel Lahtinen. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Melinda Murray.

LAST BOARD DECISION:

At the .100 hearing on March 16, 2016, the Board found Mr. Blanchard not parolable and added 48 months to his minimum term.

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

NEXT ACTION:

Schedule .100 120-days prior to PERD. A new psychological evaluation is needed prior to the next hearing.

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. Blanchard not parolable for the following reasons:

- **Assessed as a Risk Level Three by the End of Sentence Review Committee (ESRC)**
- **Referred for Forensic Psychological Evaluation (FPE) if found releasable**
- **VRAG: Category 7, on average 76% reoffend violently within 7 years; 64% within 10 years (2016)**
- **SORAG: Category 7, on average 58% reoffend within 7 years; 80% within 10 years (2016)**
- **SAPROF: Total score of 15.5 pts out of a possible 32 points, which places him in the Moderate range for protective factors. The combined risk score of moderately high risk to re-offend with a moderate level of protective factors may reduce his overall level of risk to reoffend to a low-moderate level of risk for recidivism. (2016)**
- **Sexual deviancy after treatment and while incarcerated (2008 sexually explicit story about a 7 year old child, large amount of pornography confiscated)**
- **Extensive and lengthy sexual offending history**

RECOMMENDATIONS:

Mr. Blanchard should continue to work on criminogenic behaviors and continue to remain infraction free.

JURISDICTION:

Robert Blanchard is under the jurisdiction of the Board on a September 16, 1974 conviction in Snohomish County Cause #6894 for Rape. The time start is September 27, 1977 (original). The minimum term was set at 10 years (original) from a Sentencing Reform Act (SRA) range of 51 to 68 months. The maximum term is Life. His Parole was revoked on June 30, 1982, and 180 months were added to his minimum term. Mr. Blanchard has served approximately 435 months since his parole was revoked, and 484 months total time in prison with 0 days of jail time.

Note: Other Causes/Counts: Attempted Indecent Liberties, Snohomish County Cause No. 83-1-00046-1. This is a future commitment. Please see below.

OFFENSE DESCRIPTION:

While Mr. Blanchard was out on bail under cause #6507, on May 22, 1974, he picked up three unknown female hitchhikers. Two of the victims were 16 years of age and the third was 17. Mr. Blanchard offered the girls beer and drove them to a secluded location. He then took them out onto a 40 foot cliff and directed them to remove their clothing. When they refused, Mr. Blanchard threatened to push them off the cliff if they did not comply. The victims complied and Mr. Blanchard proceeded to vaginally rape one of the victims. He then had the other two victims perform fellatio on him. Mr. Blanchard then had two of the girls perform oral sex on each other. Mr. Blanchard has since stated that he did not have the victims on a cliff, only a ten foot rock.

Mr. Blanchard received a deferred sentence to participate in the Sexual Psychopath Program at Western State Hospital in September of 1974, which was revoked after 37 months of treatment participation, as he was determined to be not amenable to treatment. Mr. Blanchard was then committed to the Washington State Prison system under the jurisdiction of the Board. He was later paroled by the Board on this offense on October 21, 1981. However, his parole was revoked in November of 1982 due to new sex offense behavior (see detail in other history dated August 23, 1983).

PRIOR CRIMINAL / RISK RELATED CONDUCT:

12/28/1971 – Malicious Mischief and Assault in the Third Degree, Snohomish County Cause #5089. On December 14, 1971, Mr. Blanchard broke into the home of an 18 year old female and attempted to rape her while armed with a screwdriver. The victim refused to comply and Mr. Blanchard left the scene. He was sentenced to two years of probation. Mr. Blanchard was still on probation for this offense when he committed both the current offense as well as #6507 noted below.

9/23/1973 – Mr. Blanchard allegedly lured a 13 year old girl into his car and committed Indecent Liberties. However, this offense was not charged in exchange for his plea under Snohomish Cause #6507.

9/16/1974 – Assault in the Second Degree, Snohomish County Cause #6507. Ten year maximum term that expired in 1987. On January 14, 1974, Mr. Blanchard picked up two 15 year old unknown female hitchhikers. He coerced them into a secluded location with the promise of marijuana. There he forced both victims to perform fellatio on him, and he vaginally raped one victim. Mr. Blanchard punched the victims, choked one of them, and threatened to kill the girls to gain compliance. Mr. Blanchard was still on probation for #5089 when he committed this offense. In addition, he was out on bail on this offense when he committed the current index offense.

5/23/1983 – Attempted Indecent Liberties, Snohomish County Cause #83-1-00046-1. Five year maximum term. While Mr. Blanchard was on parole between November 1981 and January 1982 on #6507, he sexually abused his live-in girlfriend's three year old daughter. The abuse, based on physical evidence, appeared to include anal and vaginal rape. Mr. Blanchard's parole had already been revoked and he was back in prison when this disclosure was made. Mr. Blanchard denied offending against the victim stating that he had only masturbated on her on one occasion. The Board set the minimum term at 60 months, consecutive to the current offense. Therefore, Mr. Blanchard has yet to serve confinement under this cause number.

8/23/1983 – Mr. Blanchard's parole was suspended on August 30, 1982, and later revoked due to his alleged commission of a new sexual offense. On August 23, 1982, in the early morning hours a man broke into the apartment of an 11 year old female and her mother. The victim was asleep on the couch and her mother was asleep on the floor. The victim awoke to sounds of thumping. The man immediately gagged the victim, tied her hands, and took her to the bedroom. There, he placed a pillowcase over her head and digitally penetrated her vagina. The victim then "blacked out." When she awoke the man was beating her about the head. The victim then "blacked out" a second time.

When the victim awoke again the man was gone. She was able to get to the apartment manager and summon help. The victim's mother was also beaten about the head, and she sustained permanent damage as a result. Mr. Blanchard was connected to this offense by quite a bit of circumstantial evidence. However, no charges were filed. However, as stated, his parole was revoked based on this event. Mr. Blanchard has denied any involvement.

Mr. Blanchard has additionally reported having "consensual sex" with a 15/16 year old girl when he was in his late teens or early 20s. Also, he has reported committing four unadjudicated oral and/or vaginal rapes as well as one attempted rape. Mr. Blanchard has also admitted to voyeurism and indecent exposure activity.

Mr. Blanchard has further reported having deviant fantasies and possession of pornographic material depicting pre-pubescent and pubescent age females while incarcerated. He was also found in possession of an extensive collection of pornographic pictures, books, and lists of books and movies that depicted group sex, sadistic and masochistic themes, sexually violent acts, and incestuous sex in his cell.

Also, in the letter Mr. Blanchard wrote and was infracted for in 2008, he speaks of his sexual offense against a 7 year female victim while he was in the "program" (presumably the Sexual Psychopath Treatment Program at Western State Hospital). It is unclear whether this is a depiction of an actual event or a fantasy.

PROGRESS/BEHAVIOR:

CC Murray provided an overview of Mr. Blanchard's programming (vocation/education and offender change). He previously worked in the kitchen and received positive reviews from his supervisor prior to being terminated for receiving a minor infraction, misuse of supplies. He has not received any Serious Infractions since his last hearing. Mr. Blanchard is participating in or has completed the Man to Man program, Non-Violent Communication, Alternatives to Violence and Bridges to Life. He has some support in the community.

Mr. Blanchard stated he agrees with the facts of his crimes as they are outlined in his ESRC report. Although, in discussing the previous crimes against the 3-year-old victim he stated he did not rape her, he only masturbated in front of her. Mr. Blanchard stated that during his offending behavior he was recently married, but wasn't ready for marriage, he had lost his job, and was depressed. Additionally he had been "peeping", for a couple of years, and had rape fantasies prior to his first rape.

The Board asked Mr. Blanchard about his 2008 infraction, in which he had written a pornographic letter to a friend at the Department of Social and Health Services Special Commitment Center, a secure institution for those that have been civilly committed to the State as Sexually Violent Predators. The letter involved a detailed sexual assault of a seven year old child. Mr. Blanchard stated he had written the letter for the purpose of providing his friend with something that was consistent with his friend's offending history so that "maybe he would stop complaining about it," meaning his friend would stop complaining about not having pornography. He said it was a joke. He denied having any arousal to children or the story he had written. He says he has not heard from that offender in over a year. The main difference now for him is that he has support in the community that he did not have before. He has a friend in the community who was his "cellie" and is also a sex offender. He has other friends he met while in prison, Fannie and an attorney who would be supportive to him in the community. Mr. Blanchard has been spending most of his time involved in the Alternatives to Violence program and he plans to continue with it when he gets out. He, Fannie Porter and his former "cellie" plan to start a business when he is

released, a community of tiny houses for ex-offenders to live in. He admits to still having deviant thoughts but he doesn't let them get to fantasies. He says his sexual arousal has gone down with his age.

Mr. Lahtinen spoke about Mr. Blanchard's history and the fact that he can't change it. He believes Mr. Blanchard is at a point where he can be moved to his next cause. He admits to his offenses and can address his high risks. Mr. Lahtinen believes that the Board should parole him to his consecutive charge.

EB: ts

December 10, 2018

December 12, 2018

December 18, 2018

cc: Monroe Correctional Complex -TRU
Attorney Darrel Lahtinen
File



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

TO: Full Board

FROM: Elyse Balmert (Teresa)

RE: Blanchard, Robert DOC #625191

Panel recommends: Not Releasable and adds 48 months to minimum term.

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

Agree	Disagree
Elyse Balmert 12-10-2018 Jeff Patnode 12-10-2018 Lori Ramsdell-Gilkey 12-10-2018 Kecia Rongen 12-10-2018	