



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: KING, Robert  
DOC #: 247507  
FACILITY: Monroe Correctional Complex – Twin Rivers Unit (TRU)  
TYPE OF HEARING: .100 Hearing  
HEARING DATE: November 7, 2017  
PANEL MEMBERS: JP & EB  
FINAL DECISION DATE: November 27, 2017

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This matter came before Jeff Patnode and Elyse Balmert, who are members of the Indeterminate Sentence Review Board (ISRB or the Board), on the above date for a release hearing in accordance with the provisions of RCW 9.95.100. Mr. King appeared in person and was represented by attorney Richard Linn. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Steven Sager, DOC Sex Offender Treatment Program (SOTP) therapist John Crowley, and Mr. King.

**BOARD DECISION:**

This was a Deferred 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. King is conditionally parolable to a Mutual Re-entry Plan (MRP) and adds 36 months to his minimum term.

**NEXT ACTION:**

Submit a MRP. Schedule .100 hearing approximately 120 days prior to next PERD.

**JURISDICTION:**

Robert King is under the jurisdiction of the Board on a September 15, 1975, conviction in King County Cause #71728 for Rape, Counts II and VII. The time start is October 22, 1975. The minimum term was set at 25 years from a Sentencing Reform Act (SRA) range of 98 to 130 months. The maximum term is Life. As a result of the Irwin Review, Mr. King's sentence structure was amended to allow the time on both counts to run concurrently rather than consecutively. Mr. King has served approximately 505 months in prison and 238 days of jail time.

**NATURE OF INDEX OFFENSE(S):**

According to file materials Mr. King, at his age of 24, raped two women. The first rape occurred in April of 1974 and the second occurred in November of 1974. Both rapes involved nighttime entries into the homes of women who were alone with their young children. In the first case Mr. King sexually assaulted the woman and beat her badly, causing injuries that included a subdural hematoma and a black eye. In the second rape Mr. King initially burglarized the victim's home and then came back approximately two weeks later and entered the home while she was asleep with her young child. In this instance he threatened her with a knife and struck her in the face, then dragged her to the floor, placed a pillow over her head and raped her. In both cases Mr. King stole underwear from the victims.

**PRIOR CRIMINAL CONDUCT:**

Mr. King has a 1972 conviction for two counts of Robbery, four counts of Theft, Possession of a Stolen Vehicle, and Taking a Motor Vehicle without Permission of the Owner. These occurred in British Columbia, Canada, where Mr. King was sentenced to five years and five months of confinement. He was deported to Fresno, California, in 1974. In addition, Mr. King has convictions for Possession of Narcotics, two counts of False Pretenses, Taking a Motor Vehicle, and Theft of a Motor Vehicle, which was later amended to Joyriding. As a juvenile, Mr. King was involved in slashing the upholstery of a school bus, car theft and incorrigibility.

File materials indicate that when Mr. King fled from Washington in November of 1975, he picked up a female hitchhiker in Oregon and raped her. The victim identified him through a photo montage, but it is unknown if he was ever charged for this offense.

Additionally, Mr. King admits to four un-adjudicated rapes occurring between 1964 and 1974.

**HISTORY/COMMENTS:**

The Board last saw Mr. King on September 1, 2015 for a .100 Parole Hearing. Mr. King was found not parolable and 36 months were added to his minimum term. The Board recommended Mr. King continue to participate in SOTAP aftercare to address sexual self-regulation and romantic intimacy which he avoided in treatment.

The Board also held a .100 hearing on August 12, 2014. At that time the Board found Mr. King not parolable and added 24 months to his minimum term. At a .100 on December 6, 2011, the Board also found him not parolable and added 36 months to his minimum term and a recommendation that he be referred to mental health services.

The Board had previously found Mr. King conditionally parolable in April 2010 to a Mutual Reentry Plan (MRP) and added 36 months. He was consequently placed at the minimum camp at the Monroe Correctional Complex in June 2011 and participated in the Sex Offender Treatment Program (SOTP) completer's group. In October 2011 Mr. King was placed in administrative segregation pending an investigation of being a threat to a female staff at the camp. While not infracted, staff expressed concerns about their safety and requested his removal from Monroe.

Mr. King first completed the SOTP in 2008. The Treatment Summary at that time indicated Mr. King had a history of deviant arousal to themes of rape and a "compulsive fetish for women's underwear." Mr. King was deemed to have made significant progress toward his dynamic-risk based treatment goals; however, the Treatment Summary stated that "as he faces a less restrictive environment with new stressors, his ability to cope with them in an adaptive manner

may be challenged.” Mr. King also was in the SOTAP Aftercare program for approximately three years until the incident described above in 2011, following which he was terminated.

Mr. King reentered SOTAP in October 2014 and completed the program in August of 2015. He has also subsequently completed the aftercare component. Additionally, since his last hearing he has completed CBT Aftercare in 2017 and Making it Work in 2016 as well as current enrollment in chemical dependency treatment. He has held a variety of jobs with good reports from supervisors. Mr. King’s last infraction was in 2000.

CC Sager testified that Mr. King does not have any serious infractions during his prison stay. He has completed a number of programs, most notably SOTAP and Chemical Dependency treatment as requested by the Board at his last hearing (currently in SOTAP aftercare). CC Sager stated Mr. King may release to the Fare Start program in Seattle though he does have a community support person and housing in Pierce County as well. Mr. Sager stated that he believes Mr. King will be able follow his community supervision requirements as he has demonstrated high levels of compliance with prison based rules and believes he would do well in a minimum security camp setting.

Mr. King gave a brief disclosure matching file materials. He could recall his high risks and interventions and did not minimize his offending in any way. He stated he believes treatment was very helpful and understands he will need to complete community SOTAP when he is released. Mr. King said he continues to be aroused by thoughts of female undergarments and using interventions he has to change those thoughts. He stated that he recognizes that staying clean and sober will be important for him and he plans on continuing with AA/NA when back in the community as well as obtain a sponsor. He said he has community support and housing in the Pierce County area.

SOTAP Specialist Crowley testified that Mr. King has been a strong participant in SOTAP aftercare. He said Mr. King has a breadth of treatment knowledge as evidenced in his participation in group.

Mr. Crowley said that Mr. King spent significant time assisting other offenders and was a hard worker and a leader in the program. Specialist Crowley stated that Mr. King's greatest challenge will be to see if he can apply the concepts he has learned to actual life settings.

Attorney Richard Linn indicated Mr. King has completed the programming needed to address his risks and as requested by the Board. He also stated that the recommendations for anger management programming and or T4C in the recent psychological, does not appear consistent with Mr. King's behavior in prison.

**INFORMATION CONSIDERED:**

In preparation for Mr. King's hearing and its decision in this case, the Board completed a review of Mr. King's DOC and ISRB files. The Board considered all information contained in those files, including but not limited to: the most recent DOC facility plan; information regarding institutional behavior and programming; the End of Sentence Review report (indicating he is a moderate to moderate-high risk to reoffend sexually and is recommended for a Level Three community notification after being aggravated based on a "pattern of behavior that increases risk for sexual re-offense"); any letters of support and/or concerns sent to the Board; the Pre-Sentence Investigation report; and the psychological evaluation prepared by Deborah Wentworth, Ph.D., in 2017. The Board also considered the testimony of the witnesses listed above.

There is no current recommendation from the Prosecutors of this case.

**REASONS:**

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 9.95.009 (3) and RCW 9.95.100 the Board finds Mr. King conditionally parolable.

Mr. King is an ESRC recommended level 3 for community notification, aggravated from a Two “due to a pattern of behavior that increases risk for sexual re-offense”. He has completed the programming requested by the Board and his behavior in prison has been without incident since the 2011 situation.

In his current psychological evaluation completed by Dr. Deborah Wentworth, dated May 19, 2017, she noted that Mr. King would benefit from participation in ongoing treatment groups and accountability groups and that he would benefit from anger management groups and Thinking for a Change. She further noted that any available groups that were to teach him life skills such as budgeting, or a reentry class. Dr. Wentworth also recommends “gradual exposure to respectful relationships with women” she notes this is best done in the confines of DOC, but recognizes this may put staff at risk. She further notes that if Mr. King is released he will need to have continued sex offender treatment that he should be restricted from living in a house that allows for unsupervised contact with females, adolescents or children without having been disclosed to first.

Mr. King does appear to be an appropriate candidate for a MRP at this time. The Board concurs with the recommendations for additional programming and would like to see him complete Bridges to Life and Thinking for a Change (will likely require an override). With continued participation in chemical dependency and other programming as recommended above, Mr. King will be better prepared to reenter the community with reduced risk.

JP:ts

November 28, 2017

November 28, 2017

cc: MCC-TRU  
Robert King  
File



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

DATE: November 28, 2017

TO: Full Board

FROM: *JP/EB*

RE: KING, Robert #247507

Panel recommends: Conditionally Parolable to a MRP.

Next action: Submit a MRP, Schedule a .100 120 days prior to PERD.

<b>Agree</b>	<b>Disagree</b>
Jeff Patnode 11-27-17 Elyse Balmert 11-27-17 Lori Ramsdell-Gilkey 11-27-17 Kecia Rongen 11-27-17	