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South Hill rapist Kevin Coe sues for release from state custody

Kevin Coe, who is being held indefinitely at a secure state facility for sexually violent predators, has filed suit in U.S. District Court seeking immediate release from what he calls unconstitutional confinement. No hearings on the request have been set.

By David Wasson

The Spokesman-Review (MCT)

South Hill rapist Kevin Coe wants out.

Coe, being held indefinitely at a secure state facility for sexually violent predators, has filed suit in U.S. District Court seeking immediate release from what he calls unconstitutional confinement. No hearings on the request have been set.

After serving 25 years in prison for rape, state authorities blocked Coe's planned release in 2006 and a Spokane County jury deemed him a continuing danger to society following a monthlong civil commitment proceeding. He's being detained indefinitely as a sexually violent predator at the state's special commitment center on McNeil Island.

In his latest lawsuit, Coe argues that his due process rights were violated during the civil commitment when he was prevented from cross-examining five victims of unprosecuted sexual assaults jurors were told were committed by the South Hill rapist. He also argues that his defense lawyer, Tim Trageser, was ineffective and that jurors were given incomplete instructions.

The Attorney General's Office in Olympia said it had just received the lawsuit and was reviewing it.

The state Supreme Court rejected a similar appeal in 2012, though two justices expressed concern about rape victims whose crimes were never prosecuted being allowed to testify at the civil commitment proceeding.

Coe was arrested in 1981 following dozens of rapes attributed to the so-called South Hill rapist.

A jury originally convicted him of four rapes, but all those convictions were overturned on appeal because Spokane police detectives used hypnosis during interviews with witnesses. Former Spokane County Prosecutor Don Brockett refiled the charges, and a second jury in 1985 convicted Coe of three of the original four rape charges.

He appealed and the state Supreme Court overturned two of those convictions in 1988 on the same hypnosis issue. It left Coe with a single conviction for which he served 25 years in prison. He maintains he is innocent.

Coe filed the federal lawsuit Dec. 26 in Tacoma. He is serving as his own lawyer.

