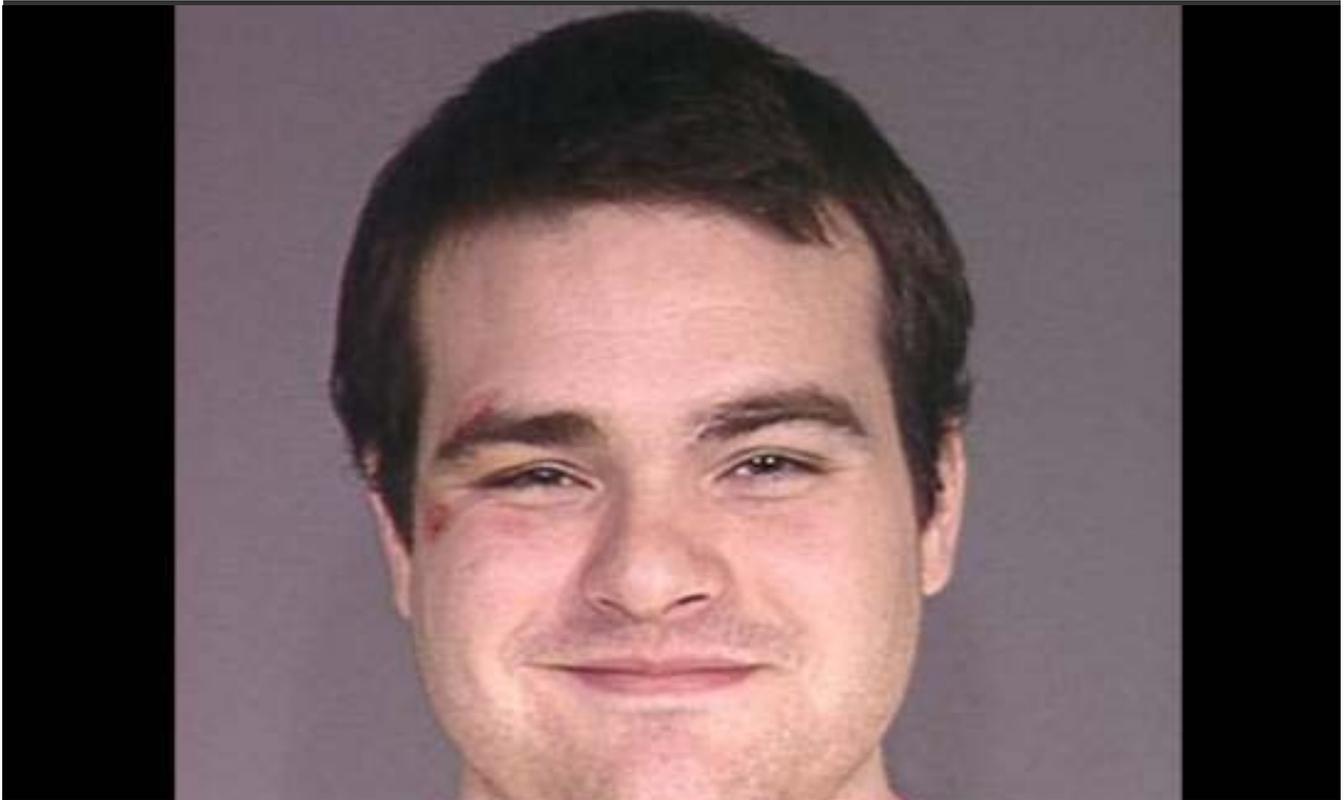


Accused killer wants to be executed

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By Sara Jean Green

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Michael Chadd Boysen, the Renton man accused of killing his grandparents hours after his release from prison in March, has become a “volunteer” for execution because of restrictive and punishing jail conditions that have exacerbated his mental illness and caused him to lose the will to live, his defense attorneys contend in a lengthy document filed this month in King County Superior Court.

Accused in the March 9 slayings of Robert and Norma Taylor, Boysen has been jailed since a standoff and suicide attempt at an Oregon motel three days after the killings. Since then, Boysen has attempted suicide or harmed himself at least 12 times and has spent much of his time in the King County jail strapped to a restraint bed or hard, plastic backboard, according to his attorneys, James Conroy and Scott Ketterling.

They further allege the extended use of restraints violates the jail’s own policies, which were created after a U.S. Department of Justice investigation and later settlement agreement that included provisions for improving inmate suicide-prevention and medical care.

Conroy and Ketterling's motion seeks to have the case against Boysen dismissed and to order jail officials to immediately stop secluding and restraining Boysen in favor of providing constant supervision to ensure he doesn't harm himself; end sensory deprivation by providing him with books, a radio or television; and ensure that jail staff members don't retaliate against him.

A couple of court hearings already have been held on the matter, with the defense ordered to turn over discovery materials — including recordings and notes from a defense psychologist who interviewed Boysen four times in May and June — to the state last week, court records show. Arguments before Judge Douglass North are expected Friday, according to the records.

As of last week, King County prosecutors had not yet filed a response brief. Dan Donohoe, a spokesman for King County Prosecutor Dan Satterberg, declined to comment, saying the state will reserve its statements for Friday's hearing.

In their motion, Conroy and Ketterling cite a variety of case law and argue that Boysen's treatment in the jail constitutes violations of his Fifth and 14th Amendment rights to due process, his Sixth Amendment right to prepare and present a defense, and his Eighth Amendment right against cruel and unusual punishment.

Less than two days after Boysen completed a nine-month prison sentence at Monroe Correctional Complex for an attempted residential burglary, his grandparents were found dead in their Renton-area home, both strangled with a shoelace. Credit cards, cash, jewelry and the Taylors' vehicle were taken from the house, court records say.

A statewide manhunt for Boysen ended March 12, when police broke down the door of his Lincoln City, Ore., motel room and found Boysen in a pool of blood.

According to a June letter prepared by Mark Cunningham, a clinical and forensic psychologist hired by the defense, Boysen tried to commit suicide March 12 by overdosing on heroin and booze, but after drinking a bottle of liquor, he couldn't find the syringe to inject himself with heroin and passed out.

After he woke to the sounds of police breaking into the room, Boysen grabbed a steak knife, opening blood vessels in his arms, feet and thighs, the letter says. The injuries required 160 staples and 100 stitches to close.

Since being jailed in King County, Boysen has attempted suicide at least four times and has also been rushed to the hospital after reopening his wounds or inserting foreign objects — crayons, strips of hard plastic, bits of brown paper wrapped in plastic from a sandwich bag and paint chips — into his penis, the defense motion says.

Additionally, Cunningham's letter indicates Boysen has a history of suicide attempts, including while in prison. He once threw himself from a third-floor tier to the concrete floor below, suffering broken bones and a traumatic brain injury.

The defense motion says Boysen has spent up to 10 hours at a time strapped to a hard backboard, and recently spent "approximately 20 continuous days" strapped to a restraint bed. Allowed only one hour out of his cell a day, Boysen has been subjected to "repeated restrictions of even the most basic sensory input after incidents of self harm," a situation that has worsened his "significant mental health problems," the motion says.

On July 2, Boysen told his defense attorneys to stop preparing mitigation materials that could help him avoid the death penalty, the motion says. King County Prosecuting Attorney Dan Satterberg is expected to decide whether to seek the penalty against Boysen by Sept. 1.

"In this case, the King County Jail by its deliberate and willful actions, succeeded in breaking Mr. Boysen's will to live, pursue mitigation and assist his counsel in trying to save his life," the motion says.

- Information from Seattle Times archives is included in this report.
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