

Judge throws out plea deal, gives child rapist 10 years in prison

Judge issues harsher sentence for Benjamin Mark Kubricky

Kubricky pleaded guilty to raping his girlfriend's 6-year-old daughter

Prosecutor said the alternative sentence was sought so the victim wouldn't have to testify in court

By Andy Hobbs
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An Olympia man was sentenced to a minimum of 10 years in prison for molesting raping his girlfriend's 6-year-old daughter and making threats to keep her quiet.

Benjamin Mark Kubricky, 34, appeared Monday in Thurston County Superior Court. He previously pleaded guilty to one count each of first-degree rape of a child and first-degree child molestation.

Kubricky was arrested in January 2015. According to court documents, the victim told her mother that she had taken showers with Kubricky, and that he had touched her inappropriately. Later, she told a therapist he also had intercourse with her.

When one of the girl's siblings confronted Kubricky about it, he promised video games and more privileges in exchange for not telling their mother, according to documents.

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At Monday's hearing, Judge Sam Meyer imposed a much higher sentence than recommended.

Prosecutors and Kubricky's defense attorney had initially agreed to a special sex-offender sentencing alternative. Under this scenario, Kubricky would have served one year in prison with the rest of the 131-month sentence suspended. The sentence also would have come with lifetime probation, mandatory treatment and registration as a sex offender.

Deputy Prosecutor Megan Winder said the alternative sentence was sought to prevent Kubricky's victim from suffering further trauma by testifying in court.

However, the victim's mother addressed the court Monday and begged the judge to impose a harsher sentence. She said Kubricky's actions have devastated her family and daughter, who suffers from nightmares and must undergo intensive therapy.

Judge Meyer told the court that he struggled with deciding an appropriate sentence that would prevent Kubricky from re-offending. After declining the alternative sentencing recommendation, the judge ordered a sentence of 120 months to life, which is at the low end of the sentencing range.

In an interview with a therapist, the girl said Kubricky had intercourse with her. To keep the girl quiet, she said Kubricky had threatened to sell her and take away her mother, according to the pre-sentence investigation. The investigation noted that Kubricky was fully aware that what he was doing was wrong.

At Monday's hearing, Kubricky apologized for his actions.

"There are no words to describe how sorry I really am," he told the court. "That little girl did nothing to deserve this."

Kubricky has no prior criminal history.

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