

Man accused of killing Renton grandparents 'volunteering' for execution

Accused killer broken by solitary confinement won't defend himself, defense attorneys claim

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A Renton man accused of killing his grandparents in an unprovoked, vicious attack is volunteering for execution because jail conditions are unbearable, his defense attorneys contend in court papers.

Accused in the March 9 slayings of Robert and Norma Taylor, Michael Chad Boysen has been jailed since a suicide attempt at an Oregon motel days after the killings. Since his March 12 arrest, Boysen has attempted suicide or harmed himself at least 12 times, and has spent much of his time in jail strapped to a bed or hard backboard.

Boysen has been charged with aggravated first-degree murder, a crime which carries either a sentence of life in prison without parole or death. King County Prosecutor Dan Satterberg has yet to decide whether to seek a death sentence in the case, and Boysen's attorneys now say their client has forbidden them from trying to dissuade the prosecutor.

While their client had previously tried to kill himself on at least eight occasions, attorneys for Boysen contend the 27-year-old's extended stay in solitary confinement – which has seen him strapped down for days at a time – has broken his will to live.

“The blatant and purposeful punitive sanctions imposed on Mr. Boysen have had the desired effect,” public defender James Conroy said in court documents. “He has now become a volunteer” for execution.

Earlier in July, Boysen's attorneys took the unusual step of asking a judge to throw out the charges against their client because of his treatment at King County Jail in Seattle. The Prosecutor's Office, which also represents the jail, has yet to respond to the defense demand.

Boysen is alleged to have killed his grandfather, 82, and grandmother, 80, hours after they threw him a party celebrating his release from prison.

Prosecutors claim Boysen killed his grandparents in the hours after the March 8 party. Their bodies were found at 6:15 p.m. the following day, when the couple's daughter discovered them piled in their bedroom closet.

Deputies arrived at the home, located in unincorporated King County outside Renton, and confirmed Bob and Nancy Taylor had been strangled.

Investigators contend Boysen killed his grandparents and then fled in their car. Charging papers suggest he also took cash and at least one credit card stored at the house, as well as a large amount of jewelry. He is alleged to have sold the jewelry – including his grandfather's wedding ring – at a Kent pawn shop.

Staff at a Lincoln City, Ore., motel called police after recognizing Boysen, which prompted the standoff that ended with officers storming Boysen's room to find him on the floor with self-inflicted cuts.

Since his arrest, Boysen has spent much of his time in custody strapped to a bed or hard backboard, Conroy told the court. King County Jail staff claim the restraints are necessary to keep Boysen from harming himself.

Writing the court, Conroy contended Boysen has been manhandled by corrections officers at King County Jail, strapped to the backboard for as long as 10 hours, and left diapered and tied to a bed for days. Conroy, a veteran death penalty defense attorney representing Boysen with Scott Ketterling, described the backboard as a medieval device that should have been retired decades ago.

Conroy and Ketterling fault jail staff for failing to watch Boysen 24 hours a day. Instead, Boysen has been strapped down for days, then freed for increasingly long periods of time during which he is watched sporadically.

While unsupervised, he has managed to cut himself with a variety of items including an orange seed, tear out his stitches and otherwise harm himself. He is also often left alone in a cell without any stimulus except the Bible.

As recently as July 8, Boysen was able to reopen life-threatening wounds while jailed. According to a defense psychologist's report, Boysen received 40 stitches to close wounds he spent two hours opening. Speaking with that psychologist days before his most recent suicide attempt, Boysen said he planned to die when he next tried to kill himself.

Boysen had tried to end his life at least six times while in state prison. On one occasion, he threw himself off a prison balcony onto a concrete floor three stories below.

If convicted as charged, Boysen would face a mandatory sentence of life without the possibility of parole, unless the prosecutor asks the jury to sentence Boysen to death. Satterberg is currently slated to decide whether to seek a death sentence by a Sept. 1 deadline, though such deadlines are often reset due to the complications inherent in capital cases.

Defendants facing a potential death sentence may provide the prosecutor with information arguing against execution. Such mitigating evidence often includes detailed

psychiatric reports; several recent aggravated murder cases in which execution was not sought involved concerns over the defendant's sanity.

According to his attorneys' statements to the court, Boysen has resisted their attempts to present mitigating evidence to Satterberg. In doing so, Conroy said, Boysen is essentially volunteering for execution.

Writing the court, Conroy argued that keeping Boysen strapped down in solitary confinement has left him suicidal and unwilling to defend himself in court.

"In legal parlance Mr. Boysen is quickly becoming a 'volunteer' for the death penalty due to the policies of seclusion and restraint that he has been subjected to," Conroy said in a June 19 letter to the King County Jail director of psychiatry.

Mitigation materials like those Boysen is apparently refusing to provide are at issue in two other aggravated murder cases currently being pursued in King County.

Mitigating evidence is at issue in the recent rejections of death penalty prosecutions against accused killers Christopher Monfort, Michelle Anderson and Joseph McEnroe. [Monfort is alleged to have killed Seattle Police Officer Timothy Brenton](#) in 2009, while [McEnroe and Anderson are accused of killing six members of Anderson's family, including two young children](#), on Christmas Eve 2007.

In each case, a Superior Court judge found Satterberg either failed to consider mitigating evidence – in part because it wasn't supplied – or weighed the evidence incorrectly when opting to seek a death sentence. The Prosecutor's Office has appealed the lower court decisions, which came years after the death penalty was sought in each case. The state Supreme Court is expected to rule on the matter in coming weeks.

In Boysen's case, his attorneys contend his time in King County Jail has left him without a will to live. Boysen's treatment, Conroy continued, effectively denies him his right to participate in his own defense while also amounting to cruel and unusual punishment.

Conroy went on to say he doesn't expect Boysen will live to see his next birthday unless the conditions at the jail improve. At least, the attorney said, Boysen should be given a television or radio, and a second hour each day outside his cell.

Prosecutors have not yet responded to the defense request, which is expected to be put to King County Superior Court Judge Douglass North next month. Boysen remains jailed without bail.

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