

# Hearing to decide Blake's sanity

BY **Cynthia Tank**  
THE COLUMBIAN

Testimony from a slate of psychiatrists began this morning in the hearing that will decide whether Donald Robert Blake goes to trial or to a mental hospital.

Blake was arrested shortly after the slaying of Linda Rush, with whom he was living at the time of her death. Rush, 35, died on the lawn in front of her apartment at 2411 Neals Lane April 25. She had been stabbed in the heart with a pair of scissors.

Before she died, she said "Don" stabbed her. Blake was seen leaving the apartment with a pair of bloody scissors in his hands.

Charged with first-degree murder, Blake has pleaded not guilty by reason of insanity. If found to have been insane at the time of the killing, Blake would be committed to a mental institution until he is determined to be safe to be at large — potentially, the rest of his life.

The 31-year-old told Superior Court Judge John Skimas earlier this month that he does not deny the facts of the case — that someone died as a result of his actions.

At least six psychiatrists are expected to be called by both sides in the case. If, in Skimas' judgment, their testimony and that of other witnesses shows Blake was sane at the time, the case will go to trial.

Defense attorney Steve Thayer has said he will call as witnesses five psychiatrists who have examined Blake. Deputy prosecutor Jim Peters is expected to call at least one doctor from Western State Hospital, where Blake was tested and found to have been sane at the time of the killing.

Other witnesses include Vancouver Police Sgt. Bob Kanekoa, the detective in charge of the investigation, and Blake's former wife, who has told Peters that one of Blake's heroes is Charles Manson.

According to Kanekoa, Blake told

police at the time of his arrest that he stabbed Rush because she was suffering from cancer in her ankles. Blake said Rush asked him to kill her. Kanekoa also said investigation indicated Rush did not have cancer but did tell several neighbors she did.

Under Washington law, insanity is more difficult to prove than in many other states. Unlike standard criminal trials — where the burden is on the prosecutor to prove guilt — insanity defenses must be proved by the defense.

What Thayer will attempt to show this week is that Blake lost contact with reality so completely that he either could not have known right from wrong at the time of the slaying or that he did not know what he was doing when he stabbed Rush. Under state law, Thayer does not have to prove his client's insanity beyond a reasonable doubt, only by a preponderance — or majority — of the evidence.

From his arrest until earlier this month, the 31-year-old presented a disheveled, trance-like appearance in the courtroom. Brought down one floor from the fifth-floor jail in the courthouse with his arms shackled to his waist, he remained chained in court, while most defendants are freed just outside the courtroom. Jailers who brought Blake to court said they were not sure what he was capable of doing; he rarely spoke to them in his cell.

Blake was originally said to be competent by a psychiatrist who examined him shortly after his arrest, but in June the same doctor said the defendant's condition had deteriorated.

Earlier this month, however, after agreeing to accept medication from a psychiatrist, the young, bearded blond re-appeared in court with his hair trimmed and his eyes clearer. He spoke to both Thayer and Skimas in court. Skimas declared him competent to stand trial.