

# Judge rules Blake insane, orders him to mental hospital

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THE COLUMBIAN

Donald Robert Blake was insane when he stabbed Linda Rush in the heart April 25, a judge ruled today.

Superior Court Judge John Skimas made the ruling without hearing evidence of Blake's sanity from the prosecution, because its only witness — a Western State Hospital psychologist — did not show up in court as expected.

As a result of the ruling, Blake will be committed to Western State Hospital in Steilacoom indefinitely. He cannot be released without another hearing before Skimas or another Clark County judge.

"I don't want to give the impression that we're acting hastily," Skimas said this morning. But, he said, the lack of witnesses to present a case of sanity left him no choice. Skimas handed down the insanity ruling in what is called a "directed verdict." It allows a judge to rule after hearing only part of the evidence.

Deputy prosecutor Jim Peters said later this morning he would have made the same decision if he were the judge. The testimony from the Western State Hospital witness would not have made any difference in the outcome, he said.

Peters said the psychologist would have testified that, in his opinion, Blake was sane at the time of the stabbing, but he would have been the only one of four experts to say that.

Blake had pleaded innocent by reason of insanity to a charge of first-degree murder. On Monday and Tuesday, defense attorney Steve Thayer presented five psychiatrists

and psychologists — including one originally hired by the prosecutor — who all testified that they believed Blake was legally insane on April 25, the day Rush died.

Rush, 35, of 2411 Neals Lane, collapsed on the lawn in front of her apartment. According to testimony, she and Blake had been in an upstairs bedroom shortly before the stabbing. Blake, believing he had received a message from God, picked up a pair of scissors and stabbed Rush in the chest as she lay on the bed.

Thayer's last witness finished testifying Tuesday morning. Peters told Skimas that his only witness, Brett Trowbridge of Western State Hospital, had not yet shown up. Skimas adjourned the hearing until 1:30 p.m. When Trowbridge still was not in court, Skimas said he would wait until 4:30 p.m.

Peters said Trowbridge called Tuesday morning and said he had car trouble in Chehalis.

Trowbridge never telephoned again. Peters said this morning he reached Trowbridge Tuesday night and learned the psychologist had to appear in court in northern Washington this morning.

Peters said the evidence of Blake's insanity would have outweighed Trowbridge's opinion, had the psychologist testified.

It was the second time in this case that Western State was responsible for a delay. In May, Skimas ruled that an official psychiatric examination done at the hospital was invalid because hospital personnel deliberately violated a court order. They failed to include one psychiatrist in an interview of Blake, and the interview had to be redone.