

CLALLAM COUNTY PROSECUTING ATTORNEY

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Sequim Man Receives 61 Months for Domestic Violence Assaults; *Clallam County Superior Court Cause No.: 22-1-00345-05*

The Honorable Judge Brent Basden sentenced Jason Ferguson, 51, of Sequim to 61 months in prison yesterday. Ferguson's sentence followed a three-day trial in mid-January where the jury found him guilty of one count of Assault in the Second Degree with a Firearm, two counts of Assault in the Second Degree by Strangulation and one count of Assault in the Fourth Degree. The jury also determined that the offenses were against an intimate partner and that three second-degree assaults were part of a pattern of psychological or physical abuse against the victim manifested by multiple incidents over a prolonged period.

Per court testimony, Ferguson assaulted his then-girlfriend multiple times over the course of their 10-month relationship. The survivor described one incident where Ferguson pointed a firearm at himself before pointing the weapon at her forehead. She also described multiple incidents where Ferguson strangled her. In one of the strangulations, Ferguson chased her down when she tried to leave the property, placed his hand over her mouth to prevent her from making noise, and strangled her with his other hand, restricting her breathing until he was interrupted by an unidentified neighbor stepping out on their porch.

At trial, the jury listened to two recorded calls between Ferguson and the survivor that were recorded by Clallam County Sheriff's Detective Stacy Sampson pursuant to a court order. In the calls, Ferguson admitted to the firearm incident and corroborated portions of the survivor's testimony. When asked why he engaged in his violent behavior in one of the calls, Ferguson blamed it on the survivor emasculating him with the things she said to him. Ferguson elected to testify at trial and claimed he did not understand what he was admitting to or apologizing for in the calls. The jury returned its verdicts after a few hours of deliberations.

At sentencing, Ferguson faced 22 to 29 months plus 36 months for being armed with a firearm during one of the assaults under Washington's Sentencing Reform Act. Since the jury also found a pattern of abuse existed, the court could have also imposed an exceptional sentence above the standard range. Deputy Prosecuting Attorney Matthew Roberson recommended a total sentence of 87 months, citing the severity of psychological and physical abuse Ferguson engaged in and its frequency. Roberson also recommended 18 months of community custody as required under Washington law. Alex Stalker, representing Ferguson, argued for a 61.5-

month sentence because of Ferguson's lack of criminal history and impact of drug use on his client and the relationship. The victim delivered a victim impact statement describing how Ferguson's crimes cause her to feel panicked, afraid, and less trustful of others. She also told the defendant in court that she chooses "to be a survivor rather than one of your victims. I choose to heal. Today, I take my power back from you. Your shame is not mine to carry."

After listening to recommendations, Judge Basden imposed a sentence of 61.5 months of imprisonment and 18 months of community custody. He also imposed 18 months of community custody and required Ferguson to engaged in substance use and domestic violence perpetrator treatment. In imposing a middle of the standard range sentence, Judge Basden noted the impact of drug use on the relationship and that both parties were in a toxic relationship neither could free themselves from. As he explained his sentence, Judge Basden acknowledged the seriousness of prolonged domestic violence and the jury's finding of a pattern of abuse but declined to impose an exceptional sentence.

"Domestic violence is always unacceptable," said Roberson. "However, offenses involving firearms and strangulation are always an extremely high priority for our office, as we know these are indicators of an increased risk of homicide. As noted by researchers across multiple studies, women who suffer non-fatal assaults by intimate partners involving firearms and strangulations are at an increased risk of being killed. Therefore, we want to ensure we hold these offenders to the highest level of accountability while also protecting the survivor."

Office Information

The Clallam County Prosecuting Attorney's Office employs over 25 people, including 14 attorneys. Clallam County, which includes Forks, Port Angeles and Sequim, has an approximate population of 78,000.

The Criminal Division represents the state and the county in criminal matters in the Clallam County District and Superior Courts. The Criminal Division is responsible for prosecuting all felonies in Clallam County and all misdemeanors in unincorporated areas of Clallam County as well as the Cities of Port Angeles and Sequim.

The Civil Division acts as the law firm representing the County and its agencies. The Civil Division advises and represents all of the County's elected officials and departments on a myriad of complex legal matters. The range of legal representation provided by this unit is expansive and covers virtually every aspect of civil practice.

The Child Support Division is wholly funded by and represents the Division of Child Support of the State of Washington. The Support Division carries out judicial establishment of paternity and child support, enforcements for failure to pay court-ordered child support, and modifications to existing child support orders. The Support Division also represents the State of Washington in collection actions on parents owing a duty of support.

For more information call:

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