

Trial details Brush's terror campaign vs. Lisa Bonney

Judge reimposes 88-year sentence

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SOUTH BEND, Wash. — At the conclusion of a Nov. 15 bench trial in Pacific County Superior Court, Lisa Bonney's killer, Brian Brush, 54, was convicted of aggravated domestic violence, and sentenced to 1,060 months in a state prison — again.

Though Judge Michael Sullivan is well-known for his thoughtful approach, he needed only 10 minutes to decide on a verdict for Brush, and even less time to impose the same roughly 88-year sentence that Brush first received in 2012.

Brush "deserves to spend the rest of his life knowing that he will never get out of prison, and also knowing he will not receive any sympathy from this court," Sullivan said. "I've said enough."

As witnesses, including the victim's daughter, Elizabeth Bonney, and friend, Dan Driscoll, gave testimony, it became clear that in the months leading up to her murder, Lisa Bonney's life had been chaotic and terrifying, due to what Prosecutor Mark McClain characterized as a campaign of "psychological torture." Brush followed Bonney, a Long Beach resident, all over the Peninsula, called her constantly, and kept her from seeking help by threatening to humiliate her or create legal problems for her, witnesses said.

Background

Brush, who was Bonney's estranged fiancé, fatally shot her on Sept. 11, 2009. He was convicted of first-degree murder in 2011. Typically, first-degree murder with a firearm would draw a sentence of 25 to 31 years. However, Brush received an exceptional 1,060-month sentence, due to an "aggravating factor" of "aggravated domestic violence." Brush successfully appealed the aggravated



Brian Brush, 54, was once again sentenced to about 88 years in prison during a November trial in Pacific County Superior Court. Brush was convicted of first degree murder for the 2009 shooting of his former fiancée, Lisa Bonney. However, the court had to redo the sentencing, after Brush got the original sentence thrown out on a technicality.

domestic violence component of his conviction, by arguing that the court had made a procedural error. His case went all the way to the state Supreme Court.

In July 2015, the state Supreme Court justices ruled that the county either had to sentence Brush within the standard range, or prove in a new trial that Brush had engaged in an ongoing pattern of abuse that occurred over a "prolonged period of time." Brush, who had been in a state prison in Walla Walla, was sent back to Pacific County Jail to await resentencing last summer.

Brush waived his right to a jury during the Nov. 15 trial, so Judge Sullivan alone decided the outcome.

Inside the courtroom

Dressed in a blue cotton dress shirt and too-large khaki pants, Brush had the pale, puffy complexion of an

inmate who has had too little sunlight and too much jail food.

He has not fared well in lockup. At 54, Brush is on 27 different medications for his complex of physical and mental health ailments, according to his Aberdeen attorney Erik Kupka. Brush's mostly bald head is shaved, and his back stooped. He walks with the shuffle of a much older man.

For most of the roughly five-hour trial and sentencing, Brush was silent. He showed little emotion, as he alternated between scribbling notes on a yellow legal pad, and staring at the table. He did not testify.

Bonney's father, Gene Klingler, sat in the front, center bench, with his close friend Rick Haug at his side. Other family members and a domestic violence advocate made up most of the very small audience. On the far side of the courtroom, an older couple sat alone. While the man took notes in a little

book, the woman quietly cried from time to time.

Different in hindsight

In late July 2009, Brush

attacked Bonney's car with a hammer and destroyed her camera, then falsely accused her of assault and had her arrested. However, much of his abusive behavior involved stalking, harassing and threatening Bonney and her daughters. These forms of abuse are often invisible to people outside of the relationship, and can damage the target's confidence so severely that they don't realize they are victims of domestic violence, or don't think anyone would believe them.

Witnesses said few people realized the relationship had gone from volatile to dangerous until the very end. Berglund said Bonney rationalized Brush's behavior by saying things like, "But he's a really nice guy." It didn't seem necessary at the time, Berglund said, but he now wishes he had called 911 when Brush suddenly appeared.

Although Bonney was clearly afraid of Brush by August 2009, she didn't want to get police involved, especially after Brush had her arrested.

"We were wrong in that situation" Long Beach Police officer Casey Meling said matter-of-factly, when he explained that police initially believed Bonney had been the

primary aggressor in the hammer incident.

A swift decision

As Sullivan prepared to announce the verdict, the courtroom was silent. In the front row, Elizabeth Bonney sat tall and composed, looking straight ahead. Next to her, her grandfather took slow, deep breaths.

"Brian Brush did exhibit an ongoing pattern of abuse," Sullivan began. "The courts do find that these constituted an aggravating factor. ... I'm very comfortable beyond a reasonable doubt with making that finding."

Sullivan said that he had found the witnesses — especially Elizabeth Bonney — "to be credible."

Though Kupka requested a standard sentence for his client, Sullivan said he saw no reason why the court should give a standard sentence after going to the trouble of re-establishing the aggravated DV factor.

"The court, first of all, is not going to stay within the standard range," Sullivan said, noting that he saw "no mitigating factors".

"Your client really deserves no sympathy from the court. The court is imposing 1,060 months total," Sullivan said.

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