



1 communications; leadership development; workforce diversity and promoting cultural  
2 competency; and implementation of new initiatives.

3 2. I served as a private practice psychotherapist from 1990 – 1997, during which  
4 time I was a Licensed Mental Health Counselor in Washington State.

5 3. From 2009 to 2014, I worked in the Health Services Division at the Washington  
6 State Department of Corrections. I served as the DOC’s Director of Behavioral Health, and  
7 was responsible for leading and managing a system of care that provides medically necessary  
8 mental health treatment to incarcerated individuals, and chemical dependency treatment  
9 services for both incarcerated persons and persons recently released from prison on community  
10 supervision.

11 4. As part of my duties here at DSHS, I play a central role in planning and  
12 implementing restoration programs in alternate facilities, including the Yakima County  
13 Competency Restoration Program (YCCRP). I assisted in planning for the program, including  
14 assisting with related legislative efforts during the 2015 legislative session. I assisted with the  
15 Department’s Request for Information to solicit proposals for competency restoration services  
16 in alternate settings, and helped in the evaluation and selection of the successful submission. I  
17 have visited the Yakima facility several times, and have worked with the Central Washington  
18 Comprehensive Mental Health team to help coordinate their successful efforts to obtain  
19 Department of Health licensure, and Division of Behavioral and Health Recovery Certification  
20 as a Residential Treatment Facility (RTF). I have coordinated visits to the facility by a number  
21 of parties, including the Court Monitor, and I have helped with DSHS written responses to the  
22 Court Monitor following these visits. I have also facilitated the work of a clinical team that  
23 developed the admissions screening criteria for the new RTFs.

24 5. As someone who has managed correctional mental health services, I am familiar  
25 with the provision of mental health services in correctional facilities. The term “corrections-  
26 based restoration program” suggests that the program is provided within a correctional facility

1 where the participants are intermixed with incarcerated individuals. In contrast, within the  
2 DSHS residential treatment facilities, patients will not be interfacing with inmates. While  
3 correctional facilities are responsible to provide medically necessary mental health services,  
4 such treatment is not the primary focus of the correctional facility. Within many jail settings,  
5 the scope of mental health services is limited, and may not include more than nominal  
6 engagement of patients in treatment activities.

7 6. In contrast, the YCCRP’s central purpose is engaging patients in active mental  
8 health treatment. The Yakima restoration facility is licensed by the Department of Health and  
9 has met the state residential treatment facility standards. The facility is also certified by  
10 Division of Behavioral and Health Recovery as a residential treatment facility. Like the  
11 forensic wards at the state’s adult psychiatric hospitals, YCCRP is a secure facility, charged  
12 with the responsibility of safely containing patients who are actively involved with the criminal  
13 justice system. However, the culture and function of the RTF is far from that of a correctional  
14 facility. The Department does not run any correctional based restoration programs.

15 7. There are fundamental distinctions between a correctional setting and the  
16 YCCRP. Within the culture of the correctional facility, inmates are subject to the correctional  
17 policies and procedures of the correctional facility, with the central goal of maintaining safety  
18 and security. In contrast, within YCCRP the policies and procedures are organized around the  
19 core goal of providing trauma informed, patient-centered mental health treatment. The staffing  
20 in a correctional setting typically is focused on security trained staff, with mental health staff in  
21 relatively short supply. In contrast, the RTFs are staffed as residential mental health facilities.  
22 In a correctional setting, the correctional officers who staff the jail report to a warden whose  
23 primary concern is safety, security, and order. At YCCRP, the staff report to a clinical  
24 manager, whose primary concern is a safe, therapeutic, and effective competency restoration  
25 treatment program.

1 8. Attached as Attachment A is a true and correct copy of the YCCRP Procedural  
2 Program Manual. This manual was developed to describe how Central Washington  
3 Comprehensive Mental Health with comply all rules pertaining to Residential Treatment  
4 Facilities providing mental health and competency restoration services. As part of my job  
5 duties, I helped in development and review of this document, and it was submitted to the  
6 Department per the terms of the contract. As such the manual describes:

- 7 • The referral screening process;
- 8 • The steps in the admissions process;
- 9 • Process for transfer of patients to the state hospital, if necessary;
- 10 • Procedures regarding re-evaluation of competence;
- 11 • Discharge procedures;
- 12 • How clinical oversight and program management will be ensured;
- 13 • Data collection and Reporting requirements;
- 14 • How medical records will be managed, including privacy considerations;
- 15 • Client Rights; and
- 16 • How food, laundry and maintenance will be handled.

17 9. Attached as Attachment B is a true and correct copy of the YCCRP Restoration  
18 Program Manual. This manual was developed in order to articulate the competency restoration  
19 treatment philosophy and procedures used within this Residential Treatment Facility. As part  
20 of my job duties, helped in development and review of this document, and it was submitted to  
21 the Department per the terms of the contract. The Program Manual describes:

- 22 • Aims of the program;
- 23 • Competency standard and guidelines for best practices in competency  
24 restoration;
- 25 • The Intake Psychological Assessment, and identification of specific individual  
26 Barriers to Competence;
- Treatment modules to address individual barriers to competence;
- Treatment Progress monitoring; and
- Forensic referral process.

10. Attached as Attachment C is a true and correct copy of the YCCRP  
Competency Restoration-Functional Plan. This manual was developed to describe how the

1 program meets all requirements for Department of Health Licensure as a Residential Treatment  
 2 Facility. As part of my job duties, I helped in development and review of this document, and it  
 3 was submitted to the Department as part of YCCRP development and to the Department of  
 4 Health for licensure requirements. Accordingly, the Functional Plan describes:

- 5 • Types of residents admitted;
- 6 • Services offered;
- 7 • Activities offered, including a sample day schedule of therapeutic activities;
- 8 • Staffing;
- 9 • Resident rooms;
- 10 • Other rooms in the facility;
- 11 • How food, laundry, and medication storage are managed;
- 12 • How medications are administered;
- 13 • Emergency Management procedures;
- 14 • Security systems; and
- 15 • Other components

16 11. Attached as Attachment D is a true and correct copy of the contract the  
 17 Department executed with Central Washington Comprehensive Mental Health. The contract  
 18 ensures that restoration services are provided in an effective manner that is consistent with the  
 19 restoration services provided within the state psychiatric hospitals. The contract also provides  
 20 for reporting and compliance monitoring of YCCRP by the Department.

21 12. The Yakima County Correctional Center was originally built to serve as a  
 22 minimum custody jail, and did function as such for approximately two years. During that  
 23 period, King County inmates were transported to the Yakima facility. However, King County  
 24 ceased using the Yakima facility and the facility has subsequently been empty. The  
 25 Department is now utilizing one wing within the facility, to be licensed and used as a  
 26 Residential Treatment Facility to provide competency restoration services.

13 13. Besides the wing currently occupied by the YCCRP, the remainder of the  
 14 building is vacant. However, the Department ensured that in the event that other parts of the  
 15 building became occupied, there would be no commingling with patients in the YCCRP. The

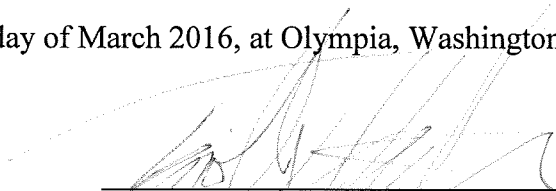
1 contract requires that "Contractor will ensure that participants in [YCCRP program] will not be  
2 in those areas at the same time as other persons outside the CR program except in an  
3 emergency e.g., fire, medical emergency, etc."

4 14. YCCRP is licensed as a Residential Treatment Facility by the Department of  
5 Health, and certified by the Department as a residential treatment program.

6 15. All of the Department's restoration facilities, including Western State Hospital,  
7 Eastern Hospital, and YCCRP, are secure facilities and contain individuals with active  
8 involvement with the criminal justice system where security must be a high priority.

9 I declare under penalty of perjury under the laws of the United States and the State of  
10 Washington that the foregoing is true and correct to the best of my knowledge.

11 Signed this 19<sup>th</sup> day of March 2016, at Olympia, Washington.

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15 TIMOTHY HUNTER  
16 Forensic Policy and Legislative Administrator  
17 Behavioral Health Administration  
18 Department of Social and Health Services  
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**CERTIFICATE OF SERVICE**

*Beverly Cox*, states and declares as follows:

I am a citizen of the United States of America and over the age of 18 years and I am competent to testify to the matters set forth herein. I hereby certify that on this 19 day of March 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

David Carlson: [davide@dr-wa.org](mailto:davide@dr-wa.org)

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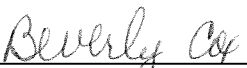
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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated this 19 day of March 2016, at Olympia, Washington.

  
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