

THE HON. MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

A.B., by and through her next friend CASSIE
CORDELL TRUEBLOOD, *et al.*,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, *et al.*,

Defendants.

No. 14-cv-01178-MJP

DECLARATION OF KARI REARDON

I, Kari Reardon, declare as follows:

1. I am over the age of eighteen, have personal knowledge of the matters stated herein, and am competent to testify thereto.

2. I am Senior Attorney with the Spokane County Public Defender, where I have worked since November 12, 1996. I have been a team leader for the Spokane County Public Defender felony attorneys since January 2014.

3. Currently, I represent M.W. Attached as Exhibit A is a true and accurate copy of my motion, declaration, and memorandum to show cause regarding his delay in obtaining competency evaluation from Eastern State Hospital ("ESH").

4. M.W. was booked into the Spokane County Jail on September 22, 2014. Ex A, p. 2.

1 5. M.W. was court ordered to receive a competency evaluation from ESH on October
2 1, 2014. *Id.* at 2 and 12.

3 6. ESH received a copy of the court order on the same day. *Id.*

4 7. After I made several phone calls to try and schedule the evaluation, ESH finally
5 scheduled the evaluation for November 12, 2014, or forty-three days after the court order was
6 entered and received by ESH. *Id.* at 2. I have since learned that ESH has rescheduled the
7 evaluation for November 13, 2014.

8 8. On October 22, 2014, I submitted my motion to show cause along with a
9 declaration, exhibits, and memorandum regarding the delay in obtaining the court ordered
10 competency evaluation. *Id.*

11 9. On October 27, 2014, I informed ESH of the October 30, 2014, hearing date for
12 my motion to show cause. Attached as Exhibit B is a true and accurate copy of the email
13 exchange.

14 10. On October 28, 2014, Assistant Attorney General ("AAG") Andrea Utigard replied
15 stating, "This case is currently set for a motion for an order to show cause and ESH is not a party
16 the criminal action. The Attorney General's Office will attend a hearing on this case if an Order
17 to Show Cause is entered with regard to ESH." *Id.*

18 11. On October 30, 2014, the court rescheduled the show cause hearing for Friday,
19 November 7, 2014.

20 12. On October 31, 2014, I also received a response to a Public Disclosure Act request
21 I sent to ESH on October 21, 2104. A true and accurate copy of my PDA request and ESH
22 response is attached is Exhibit C. According to the information provided by ESH, there are
23

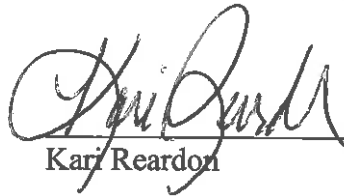
1 ninety-four people waiting, on average, forty-three to forty-five days for competency evaluation.

2 *Id.*

3 13. These wait time averages are consistent with what my client, M.W., and others like
4 him are experiencing while they decompensate in jail due to their mental illness. Just today,
5 M.W. called me and left me an angry voicemail. Even though he had attended last week's
6 hearing regarding my motion to show cause, M.W. was confused regarding why he had not been
7 evaluated and was still in jail. I have noticed that he has become more volatile the longer he
8 waits in jail for these court-ordered services.

9 I declare under penalty of perjury under 28 U.S.C. § 1746, that the forgoing is true and
10 accurate.

11 DATED this 5th day of November, 2014, at Spokane, Washington.

12
13 
14 Kari Reardon

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

- John K McIlhenny (JohnM5@atg.wa.gov)
- Nicholas A Williamson (NicholasW1@atg.wa.gov)
- Sarah Jane Coats (sarahc@atg.wa.gov)
- Amber Lea Leaders (amberl1@atg.wa.gov)

DATED: November 6, 2014 at Seattle, Washington.

/s/Mona Rennie

Legal Assistant, Disability Rights Washington