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The Honorable MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

CASSIE CORDELL TRUEBLOOD, next friend
of A.B., an incapacitated person, et al.,

Plaintiffs,

v.

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

Defendants.

NO. 2:14-cv-01178-MJP

DECLARATION OF
VICTORIA ROBERTS

I, Victoria Roberts, am over the age of 18 years of age, competent to testify to the matters below, and declare based upon personal knowledge:

1. I am deputy assistant secretary for the Behavioral Health Administration (BHA) of the Department of Social and Health Services (DSHS). I am an authorized representative of the Department of Social and Health Services.

2. As deputy assistant secretary, I am responsible for the operation of the three state hospitals. I am also directly responsible for operational issues that cross the divisions and state hospitals, strategic planning, performance management, quality assurance, and risk management. These responsibilities include oversight of state hospital policies, procedures and practices to ensure that they are aligned with DSHS policies and applicable state and

1 federal laws pertaining to health care facilities. I am heavily involved with labor negotiations
2 on behalf of BHA and meet regularly with the labor unions for the state hospitals. Prior to
3 joining the Department of Social and Health Services, I served as the associate superintendent
4 of the Stafford Creek Corrections Center and as the Community Protection Administrator for
5 the Department of Corrections, where I worked for 27 years.

6 3. There are currently four labor unions that operate at Western State Hospital
7 (WSH). The Service Employees International Union (SEIU) 1199NW represents nurses. The
8 Affiliated Washington Pharmacists (AWP) represents Pharmacists. The Union of Physicians
9 Washington (UPW) represents Physicians and Psychiatrists. The Washington Federation of
10 State Employees (WFSE) represents the remaining non-management staff to include
11 Psychologists, Psychiatric Social Workers, Mental Health Technicians, Psychiatric Security
12 Attendants, etc. I have been actively engaged with each of these unions since taking the
13 position as Deputy Assistant Secretary in 2013. I am regularly involved with labor
14 negotiations at WSH.

15 4. The labor negotiations are not the barrier to opening additional forensic beds at
16 WSH. The Department had reached agreements with the four labor organizations to open the
17 additional forensic competency restoration ward. WSH had hired some of the staff for the
18 ward when the decision was made to redeploy those staff to other forensic wards in order to
19 respond to the issues with CMS. In accordance with state law and the collective bargaining
20 agreements that are negotiated between the governor and each of these labor organizations on
21 a bi-annual basis the Department is obligated to give notice and negotiate any changes to
22 working conditions prior to the implementation of those changes. The Department has
23 worked with, and continues to do so, labor organizations on issues such as working conditions
24 to include; opening new wards, establishing new positions and expanding the pool of staff and
25 clinicians at the state hospitals.

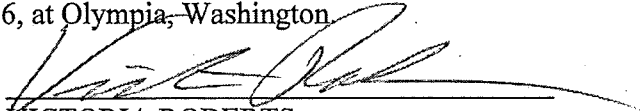
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5. The Department has repeatedly and successfully negotiated with state employee unions regarding matters that relate to compliance with the Court's injunction. For example, the Department has negotiated extra duty pay for forensic evaluators, the use of a contracted agency for Yakima, and the opening of Maple Lane with the combination of DSHS and contract staff. The monthly reports to Court Monitor have detailed the negotiations that have occurred on a regular basis, these examples listed here are but a sample of all the labor work that has been accomplished.

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

Signed this 6 day of June 2016, at Olympia, Washington.


VICTORIA ROBERTS
Deputy Assistant Secretary
Behavioral Health Administration
Department of Social and Health Services

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 6th day of June 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

Emily Cooper: emilyc@dr-wa.org

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Sean Gillespie: Sean.Gillespie@CGILaw.com

Kenan Lee Isitt: kenan.isitt@cgilaw.com

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

Dated this 6 day of June 2016, at Olympia, Washington.



Beverly Cox
Legal Assistant

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