

HON. MARSHA J. PECHMAN

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

A.B., by and through her next friend Cassie Cordell
Trueblood, *et al.*

Plaintiffs,

vs.

Washington State Department of Social and Health
Services, *et al.*,

Defendants.

)
) NO. 14-CV-01178-MJP
)
)
) DECLARATION OF TENAYA
) SCHEINMAN IN SUPPORT OF
) PLAINTIFFS' REPLY IN SUPPORT
) OF MOTION TO RECONSIDER
) SCOPE OF INJUNCTION
) REGARDING IN-JAIL
) EVALUATIONS
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I, Tenaya Scheinman, 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 a public defender with The Defender Association (TDA), one of four public defense agencies within the King County Department of Public Defense. I have been a public defender for over eight years. My current assignment is in the felony

1 division, which I have held since July 2015. I have also worked in the unit handling
2 civil commitments under the Involuntary Treatment Act, RCW 71.05, and also
3 misdemeanors.

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5 3. In the course of my work at The Defender Association, I have represented
6 over 50 defendants whose competency to stand trial was in question, including at least
7 a dozen within the past year. I have also observed many more cases involving
8 competency issues. I am very familiar with the processes that are followed in King
9 County Superior Court relating to both competency evaluations and restoration.

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11 4. After a criminal defendant is charged, their first court appearance is their
12 arraignment hearing, which typically occurs about two weeks after arrest. This hearing
13 is the first available opportunity to request a competency evaluation in the vast
14 majority of cases.

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16 5. Although in many cases, an order for competency evaluation can be
17 entered at a date later than the arraignment, it is very rare for an order for competency
18 evaluation to be signed any sooner than the arraignment date. This is because meeting
19 and preparing our client for the arraignment hearing is typically when we first become
20 aware that our client may not be able to assist in their own defense, raising competency
21 concerns.
22

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

25 DATED this 24TH day of JUNE, 2016, at Seattle, Washington.
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TENAYA SCHEINMAN

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CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2016, 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:

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

DATED: June 24, 2016, at Seattle, Washington

/s/Christopher Carney
Christopher Carney, WSBA No. 30325