

The Honorable Marsha J. Pechman

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

A.B., by and through her next friend Cassie Cordell Trueblood; D.D., by and through his next friend Andrea Crumpler; K.R. by and through his next friend Marilyn Roberts; Q.M. by and through his next friend Kathryn McCormick; all others similarly situated; and Disability Rights Washington;

Plaintiffs,

vs.

Washington State Department of Social and Health Services; Kevin Quigley, in his official capacity as Secretary of the Department of Social and Health Services; Western State Hospital; Ron Adler in his official capacity as Chief Executive Officer of Western State Hospital; Eastern State Hospital; and Dorothy Sawyer in her official capacity as Chief Executive Officer of Eastern State Hospital,

Defendants.

No. 14-cv-01178-MJP

DECLARATION OF EMILY COOPER IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER

I, Emily Cooper, 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 licensed attorney admitted to the Washington State Bar Association in November 2003.

1 3. Since June 2006, I have been employed as an attorney at Disability Rights
2 Washington.

3 4. Since 2009, I began routinely conducting out and monitoring at both Western
4 State Hospital (“WSH”) and Eastern State Hospital (“ESH”). Since 2009, I also routinely met
5 with administration from both WSH and ESH in an effort to resolve systemic issues impacting
6 patients.

7 5. I learned that after the Nisqually earthquake in 2001, forensic services were
8 relocated from their old location in a building which became structurally compromised and no
9 longer exists. While the current Center for Forensic Services (“CFS”) was being built, all
10 forensic patients were housed on the civil units on the south hall or “S” units which had added
11 security, including a yard area with a similar tall fence surrounding it to prevent escape.

12 6. At ESH, there are three hardened forensic units with a 31 bed capacity. Based on
13 information provided during several meetings with ESH administration, I understand that ESH
14 routinely artificially lowers that capacity to as low as 25 due to the shortage of psychiatrists.

15 7. During my outreach and monitoring at both WSH and ESH, I have met with
16 several civil patients on the forensic units.

17 8. During my outreach and monitoring at WSH on October 3, 2014, I observed that
18 the S4 unit was vacant.

19 9. I have not met with any forensic patients who had been found Not Guilty by
20 Reason of Insanity (NGRI) outside of the CFS building, no matter how stable their clinical
21 condition.

22 //
23 //

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

3 DATED this 7th day of October, 2014, at Seattle, Washington.

4 
5 _____
6 Emily Cooper, WSBA #34406
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 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: October 7, 2014, at Seattle, Washington.

/s/Mona Rennie

Legal Assistant
Disability Rights Washington