

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

A.B., et. al., Plaintiffs, vs. Washington State Department of Social and Health Services, et. al., Defendants.	No. 14-cv-01178-MJP DECLARATION OF MARK ADAIR IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT
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I, Mark Adair, 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 lawyer in the felony division of The Defender Association Division (TDAD) of the King County Office of Public Defense, where I have worked since February 2001.

3. Currently, I represent C.C.

4. C.C. is in custody at the Regional Justice Center. He is charged with Residential Burglary and Assault in the Second Degree.

1 5. On October 8, 2014, C.C. was ordered to undergo a competency
2 evaluation. Attached as Exhibit A is a true and accurate copy of Order for Competency
3 Evaluation.
4

5 6. On October 22, 2014, C.C. was found incompetent and ordered to undergo
6 restoration at Western State Hospital ("WSH"). Attached as Exhibit B is a true and
7 accurate copy of Order finding Defendant Incompetent and Committing for First
8 Restoration Period.
9

10 7. According to testimony by WSH, in a different case involving an
11 individual awaiting competency restoration services, the current wait time for felony
12 competency restoration is approximately sixty-five days.
13

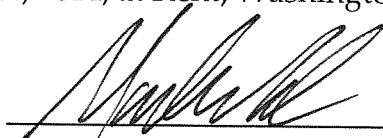
14 8. C.C. remains in custody in the Regional Justice Center and is awaiting
15 treatment.
16

17 9. He has now served more time than he would if he could accept the State's
18 offer to plead guilty to two misdemeanors and accept the State's offer of time served.
19 The State made that offer on July 16, 2014.
20

21 10. C.C. is in lockdown 23 hours a day and I believe that his mental health has
22 deteriorated as a result of the time he has spent at the Regional Justice Center.
23

24 I declare under penalty of perjury under 28 U.S.C. § 1746, that the forgoing is
25 true and accurate.
26

DATED this 6th day of November, 2014, at Kent, Washington.



Mark Adair

WSBA # 24655

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