



Washington Association of
**SHERIFFS &
POLICE CHIEFS**

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Greetings from your Executive Director:

This week I want to share a lot of complex but critical information about the recent Court ruling from Federal Judge Marsha Pechman regarding the Trueblood case and what is going on now, as well as how this may affect our agencies and public safety in the future. This issue is moving fast and I want to brief you on what is going on.

This ruling, and DSHS's interpretation of the ruling, will result in the release of persons who were charged with crimes but dismissed on a civil conversion and held in the custody of the state for commitment. This action is a result of DSHS's continued lack of infrastructure to adequately support the criminal justice system to deal with persons with severe mental and behavioral problems that may be violent.

Judge Pechman [issued the order](#) regarding the ongoing Trueblood case and ordered in the state to, in effect, clear out civil conversion patients, with the exception of those who have committed violent felonies, in order to make more room for criminal restoration cases under RCW 10.77. Notably, civil conversion patients all entered the system as defendants who committed felony crimes. They have had their charges dismissed in order to have their case be "converted" or "flipped" from the criminal forensic side to the civil commitment side, where they are required to be evaluated and potentially held for further treatment. Recent legislation now allows such individuals, assuming they are non-violent, to be evaluated and treated in facilities operated by DSHS.

We have been asked to pass along this [notification document](#) from the Washington State Dept. of Social and Health Services (DSHS) telling prosecutors and law enforcement that in order to follow the Judge's order, they will be planning to release a number of civil conversion patients by the Judge's deadline of Sept. 7, and do not yet have details about where they may, or may not, be placed or any discharge plans.

This release may result in some persons waiting for restoration going from local jails to the state, but it also may result in many civil conversion patients being released into the community. I am aware of several counties who are working to file injunctions regarding the case, to seek to stop the Judge's order, and/or restrict the State from, releasing the civil patients. [Here is a document](#) shared with their permission from the Washington Association of Counties (WSAC) regarding counties seeking injunctive relief from this potential release. We are working closely with stakeholders on this issue.

As we have pointed out before, the State needs to resolve chronic failures at Western and Eastern State Hospitals that may prompt this release. Public safety is a core function of government, and this crisis is something the State must solve and not simply release people in need of services into communities across the state. In her ruling, Judge Pechman stated the reasons behind the State's failure was in part "...DSHS's own lack of foresight, creativity, planning, and timely response to a crisis of its own making."

Washington State can no longer continue to evade the basic fact that those with mental illness – whether charged with a crime or not - are entitled to help. The legislature has attempted to address this issue. When critical state responsibilities such as those assigned to Western and Eastern State Hospitals fail, more harms are likely to come both to those who suffer from mental illness as well as the public. The State should take immediate steps to increase capacity to serve those with mental illness – even if that requires new state hospitals. This issue is complex, but important, and the State needs to respond effectively and promptly.

Just making you all aware of this ongoing issue and what we are doing in conjunction with other stakeholders; we will keep you in the loop moving forward.

Finally, I know all of us wish Sheriff Udell's team at the Yakima County Sheriff's Office the very best as YCSO Deputy Watkins recovers from being shot and injured on a domestic violence call. [Here is a link](#) to the video of Deputy Watkins being welcomed as he left the hospital.

As always, thanks to each of you for all you do and stay safe! - Steve