



Disability Rights

WASHINGTON

Washington's protection and advocacy system

What is *Trueblood*?

Trueblood is a class action lawsuit that Disability Rights Washington (DRW) brought against the Washington State Department of Social and Human Services (DSHS) in 2014. The class members are people who are **waiting weeks to months in jail to receive competency restoration services**. In 2015, the court determined that DSHS must provide competency evaluations within **14 days** and must transfer people out of jail and into competency restoration services within **7 days**. After a little over a year, the State began paying fines for not complying with the court's timelines and has paid over **\$64 million in fines**. Because the State is still not in compliance, the Parties have completed a **settlement agreement** which can be **found on the DRW website**.

What are competency restoration services?

If someone is charged with a crime, they have the right to understand how the trial and court works. If there is a concern that they do not understand due to a mental illness or other disability, they will receive competency services. First, they receive a **competency evaluation**, which determines if the person understands what a trial is and how to work with their attorney. If they don't understand, they are found **incompetent** and the court will order **competency restoration services**. These services consist of mental health treatment, basic civics, and restoration classes which are provided at a state hospital or other facilities. They receive these services until they are reevaluated and found **competent**. If they are found incompetent, the process of restoration continues or their case may be dismissed.

Who are class members?

Class members are individuals who are in jail, pending a criminal charge, and typically have a serious mental illness or other disability. Many class members also have a substance use disorder. They wait weeks or months for competency evaluation or restoration services. Often times they wait much longer for these services than they would if they were convicted of the crime.

Let's connect the dots...

Many people are entering the criminal justice system because they **cannot get adequate mental health services**. When they can't access services, they get worse and worse until they go into crisis. When they go into crisis they may commit crimes which are symptoms of their untreated mental illness. Then law enforcement picks them up and has **little to no options but to take them to jail**. Because there are so many people entering the system, people wait weeks to months to receive competency restoration services. During that time, people are kept in jails, often in solitary confinement with little or no mental health treatment. In many cases, **their mental health is permanently impaired** because of this traumatic experience.

Find more information on *Trueblood*:
<https://www.disabilityrightswa.org/cases/trueblood/>

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