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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

A.B., by and through her next friend
CASSIE CORDELL TRUEBLOOD, et
al.,

Plaintiffs,

v.

WASHINGTON STATE
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, et al.,

Defendants.

CASE NO. C14-1178 MJP

ORDER REGARDING
DECLARATION OF DR. KINLEN
DKT. NO. 1076

The Court has received and reviewed the Declaration of Dr. Thomas J. Kinlen Responsive to ¶ 1 of Dkt. No. 1072. (Dkt. No. 1076.) The Court notes several issues that require further clarification consistent with this Order.

First, during the quarterly status conference held of November 9, 2023, counsel for Defendants identified \$1,399,500 as the total amount due to bring DSHS current with in-jail fines due from June 1, 2022 through August 31, 2023. Dr. Kinlen now reports that the amount

1 owed from June 1, 2022 through August 31, 2023 is \$1,404,250. Dr. Kinlen has not provided any
2 explanation for the discrepancy. Nor have Defendants submitted any evidence of whether
3 Defendants possess signed court-orders granting good cause exceptions consistent with the
4 Court's Modified Permanent Injunction to support all of the requested in-jail fine modifications
5 over this period.

6 Second, during the November 9th quarterly status conference, Defendants proposed that
7 their new calculations for in-jail fines spanning from June 1 through August 31, 2023 would
8 correct any underpayment spanning from June 1, 2022 through August 31, 2023. Dr. Kinlen's
9 declaration does not explain why this is no longer the case and why DSHS requests the Court
10 adjust the in-jail fines from June 1, 2022 through May 31, 2023.

11 Third, the Court notes that due to its own miscalculation, the judgment entered on
12 September 25, 2023 incorrectly reported that the total fine due was \$171,500, when it should
13 have been \$171,750. Accordingly, the spreadsheet attached to Dr. Kinlen's declaration
14 underreports the amount due for August 2023 by \$250—it should be \$168,750. (See Dkt. No.
15 1076-1 at 5.)

16 The Court therefore ORDERS as follows:


- 17 1. Defendants must explain why they now seek an adjustment of the in-jail fines
18 from June 1, 2022 through August 31, 2023, rather than just from June 1, 2023
19 through August 23, 2023.
- 20 2. Defendants must provide a declaration or comparable evidence identifying that
21 Defendants possess and have reviewed a signed court order granting a good cause
22 exception consistent with the Court's Modified Permanent Injunction for each in-
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1 jail fine incurred from June 1, 2022 through August 31, 2023 for which
2 Defendants seek a credit.

- 3 3. Defendants must also update their internal tracking to note that the total due for
4 in-jail fines from August 1-31, 2023 must increase by \$250 to \$168,750.
- 5 4. Defendants must submit the materials responsive to this Order within 14 days of
6 its entry.
- 7 5. Plaintiffs must then file a response outlining their position as to whether any or all
8 of the requested adjustments to the in-jail fines from June 1, 2022 through August
9 31, 2023 should be made. Plaintiffs' response shall be due 7 days after
10 Defendants submit their responsive materials.
- 11 6. No reply shall be filed unless the Court separately so requests.

12 The clerk is ordered to provide copies of this order to all counsel.

13 Dated November 21, 2023.

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15 Marsha J. Pechman
16 United States Senior District Judge

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