

FILED
SUPREME COURT
STATE OF WASHINGTON
3/25/2020 8:00 AM
BY SUSAN L. CARLSON
CLERK

No. _____

SUPREME COURT OF THE STATE OF WASHINGTON

SHYANNE COLVIN, SHANELL DUNCAN, TERRY KILL, LEONDIS
BERRY, and THEODORE ROOSEVELT RHONE,

Petitioners,

v.

JAY INSLEE, Governor of the State of Washington, and
STEPHEN SINCLAIR, Secretary of the Washington State Department of
Corrections,

Respondents.

DECLARATION OF BRIAN STARK

Nicholas Allen, WSBA #42990
Nicholas B. Straley, WSBA #25963
Janet S. Chung, WSBA #28535
Columbia Legal Services
101 Yesler Way, Suite 300
Seattle, WA 98104
Telephone: (206) 464-1122
Attorneys for Petitioners

I, Brian Stark, do hereby certify and declare as follows:

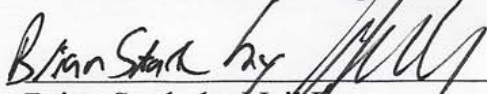
1. I am an inmate at Washington Correction Center in Shelton, Washington. My DOC # is 344634.
2. I was born on [REDACTED], 1972. I am 47 years old.
3. I am serving an indeterminate prison commitment of 125 months. My earned early release date was March 11, 2020. The Indeterminate Sentence Review Board issued a decision finding me safe to be released into the community on January 1, 2020. I submitted a release plan to the Department of Corrections that contains information about where I am going to live and who I am going to live with and a plan for employment.
4. At this point, I believe that the only delay in my being released is that the Community Corrections Officer has not been able to visit the house where I am going to live and thus DOC has not given me an exact release date. I hope to be released very soon.
5. I am very worried about getting the COVID-19 virus, and am afraid that if I get the virus, there will not be sufficient medical resources in the DOC to care for me.
6. I am currently on the EF tier in Cedar Hall that contains 60 inmates who share on common day room and the same bathroom/shower facilities. There are three other tiers so that the total capacity in Cedar Hall is 240 inmates. I am double-celled with another inmate who is 52 years old and who suffers from diabetes. Right now, we are eating in the main chow hall with anywhere from 150-200 people eating at the same time. The only time I am able to be 6 feet away from other people is when I am alone in my cell when my cellmate is gone. The only phones are in the day room and there are four phones that 60 inmates share.
7. Although DOC has provided cleaning supplies and hand sanitizer, and I have heard that staff members are being screened for the virus, I am not aware that any inmates have been routinely screened for symptoms of the virus.

8. I consent to Columbia Legal Services filing a lawsuit on my behalf to address the issues raised by COVID-19 and the provision of proper medical care in the Washington Department of Corrections.

I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 18th day of March 2020, at Shelton, Washington.

I am unable to sign this document as it was prepared in Seattle, but I have had it read to me and I am authorizing Neil Fox to sign it on my behalf.



Brian Stark, by Neil Fox

CERTIFICATION RE AUTHORIZATION TO SIGN
ON BEHALF OF DECLARANTS

I, Neil Fox, certifies and declares as follows:

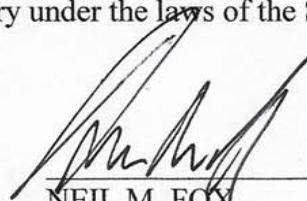
1. Due to shortened time and limitations on personal access to the declarants listed below, based on the current public health emergency, distance, shortened time, and prison procedures, I was unable to obtain physical signatures from the declarants.

2. I personally spoke with following declarants over the telephone on the dates stated herein. I drafted each declarant's declaration while on the telephone with them. After drafting the declarations, I read each declarant's declaration to them word for word including the wording in the unsworn declaration section. Each declarant stated to me that the declarations were accurate and true and correct, and authorized me to sign the declaration on their behalf.

<u>Declarant</u>	<u>Date</u>
Theodore Roosevelt Rhone	March 18, 2020
Joseph Siriani	March 18, 2020
Brian Stark	March 18, 2020
Hozie Holley	March 18, 2020

I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

3/22/20 Seattle WA
DATE AND PLACE



NEIL M. FOX
WSBA NO. 15277

COLUMBIA LEGAL SERVICES, INSTITUTIONS PROJECT

March 24, 2020 - 6:56 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 98317-8
Appellate Court Case Title: Shyanne Colvin et al. v. Jay Inslee et al.

The following documents have been uploaded:

- 983178_Other_20200324185613SC627811_0854.pdf
This File Contains:
Other - Declaration
The Original File Name was 20 0322 Stark Decl - FINAL_Redacted.pdf

A copy of the uploaded files will be sent to:

- Jeff.Even@atg.wa.gov
- janet.chung@columbialegal.org
- jeffe@atg.wa.gov
- nick.straley@columbialegal.org
- tim.lang@atg.wa.gov

Comments:

Declaration in Support of Petition for Writ of Mandamus

Sender Name: Maureen Janega - Email: maureen.janega@columbialegal.org

Filing on Behalf of: Nicholas Brian Allen - Email: nick.allen@columbialegal.org (Alternate Email: nick.allen@columbialegal.org)

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