

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

No. \_\_\_\_\_

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**SUPREME COURT OF THE STATE OF WASHINGTON**

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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.*

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**DECLARATION OF SHYANNE COLVIN**

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Nicholas Allen, WSBA #42990  
Nicholas B. Straley, WSBA #25963  
Janet S. Chung, WSBA #28535  
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101 Yesler Way, Suite 300  
Seattle, WA 98104  
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*Attorneys for Petitioners*

I, Shyanne N. Colvin, declare under penalty of perjury under the laws of the State of Washington that the following statements are true and correct to my best knowledge and belief:

1. I am 21 years old and I am seven months pregnant.
2. By birthday is [REDACTED], 1998.
3. I am over the age of 18 and am competent to testify as to

the contents of this declaration.

### **Background**

4. I am currently in detention at the Washington Corrections Center for Women (WCCW) in Gig Harbor, Washington.

5. My DOC number is #411211.

6. I have been at this facility since the beginning of March 2020.

7. My ERD is January 12, 2021.

8. I am in the Reception and Diagnostic Center at WCCW.

This is where women who are coming in straight from local jails are first housed when they come into DOC.

9. They are being brought right into the pod when they get here from outside jails and then into the cells where the rest of us are already. They are just put into the cells, given a mat and told to sleep on the floor.

10. I am in a cell with two other women. We have a bunk bed with two beds, and the one woman sleeps on the ground.

11. We are all really close together whenever we are locked in our cell.

12. We have a sink and a toilet in our cell which all three of us use.

13. We are all very close together whenever anyone uses the toilet, or uses sink to brush her teeth or wash her hands or face.

14. The woman sleeping on the floor sleeps only about a foot away from the edge of the toilet.

15. In our pod, there are 23 total cells and almost three women per cell.

16. There is at least one woman sleeping on the floor of most of the cells.

17. There are four showers for all of the women in our pod and over fifty women using those showers.

18. Two girls came in right after me. One had a fever and one had a cough. They were put into quarantine, but they are in cells on my pod, in my tier.

19. One of the women is in a cell right next to mine. The other is one door down from me.

20. I've been exposed to a crowd of about 50 women six times a day. We eat three meals together, and three hours out to shower, clean, and use the phone.

21. Just yesterday, they started splitting the mealtimes up among groups of people. Now they are having us sit with a seat empty between us. But even still they don't clean the tables between when one group eats and another group sits down.

22. There are three phones for the pod, and everyone uses them. The telephone is not cleaned after people use it.

23. People are still congregating in the day room.

### **Medical History**

24. I am currently pregnant.

25. My due date is May 27, 2020.

26. I saw an OB about a week and a half after I came into the prison. I have not seen a doctor since.

27. At the end of 2019, prior to my incarceration, I had a grand-mal seizure. I had never had seizures before. My mother took me to the emergency room. I'm now on preventative seizure medication that is low risk for the baby.

28. I worry about my pregnancy while I am detained here. The impacts of coronavirus on pregnant women and unborn children is still unknown and it scares me to be exposed.

29. This is my first child. I don't know what to expect and I am away from my mother. I do not have support for my pregnancy while incarcerated.

### **Who I Am**

30. I have always wanted to be a mother.

31. I am married to Andrew Dunnagan. He is an apprentice lineman.

32. My mother and father live in Spokane, Washington with my younger brother.

33. I could immediately move back into our family home upon my release.

34. I want nothing more than to return to my family and start my life as a mother with the support of my family.

35. This is my first criminal offense. I made a mistake two years ago by delivering drugs after being pressured by a man that I was dating. I was sentenced to residential DOSA two years, but then resentenced this year when the judge who originally sentenced me came after investigation and we learned I was improperly sentenced.

36. Columbia Legal Services has permission to move forward with litigation against DOC on my behalf to try and help the situation here given this dangerous public health crisis.

Dated this 20<sup>th</sup> day of March 2020 in Gig Harbor, Washington.

*I am unable to sign this document as it was prepared in Seattle, Washington, but I have had it read to me over the telephone and authorize Nick Straley to sign it on my behalf.*

A handwritten signature in black ink, appearing to read 'SC' with a checkmark-like flourish at the end.

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Shyanne Colvin, by Nicholas B. Straley, WSBA #25963

CERTIFICATION RE AUTHORIZATION TO SIGN  
ON BEHALF OF DECLARANT

I, Nicholas B. Straley, declare under penalty of perjury under the laws of the State of Washington:

1. I am counsel for the petitioners in this action.
2. Due to shortened time and limitations on access to the declarants due to the current public health emergency, distance, shortened time, and prison procedures, I was unable to obtain physical signatures from the declarants.
3. I personally spoke with Shyanne Colvin over the telephone on March 22, 2020. I drafted Ms. Colvin's declaration while on the telephone with her. At the conclusion of the call, I read Ms. Colvin's declaration to her, and Ms. Colvin stated to me that she believed the contents of her declaration to be true and correct, and authorized me to sign the declaration on her behalf.

DATED this 22<sup>nd</sup> day of March, 2020 at Seattle, Washington.



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Nicholas B. Straley, WSBA #25963

# COLUMBIA LEGAL SERVICES, INSTITUTIONS PROJECT

March 24, 2020 - 7:10 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\_20200324190949SC223117\_9776.pdf  
This File Contains:  
Other - Declaration  
*The Original File Name was 20 0322 Colvin 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 Mandamus

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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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