

From: [Cathy Halka](#)
To: [Monica Rouse](#); [SAC](#)
Subject: FW: Question
Date: Wednesday, September 14, 2022 5:19:15 PM

-----Original Message-----

From: Maialisa Vanyo
Sent: Wednesday, September 14, 2022 11:52 AM
To: Cathy Halka <CHalka@co.whatcom.wa.us>
Cc: Barry Buchanan <BBuchana@co.whatcom.wa.us>
Subject: RE: Question

Cathy:

RCW 10.77.086. controls the competency restoration procedure for felony charges and requires that inpatient competency restoration occur at "an appropriate facility of the department." Outpatient competency restoration is also contemplated in the statute, but we do not have it set up in Whatcom County.

At the SAC meeting, I suggested that certain individuals may be able to self-restore to competency, if housed in a therapeutic setting with appropriate mental health treatment. In rare cases, I have seen it happen in the jail when an individual who was unmedicated in the community voluntarily resumes medication while incarcerated and is then able to understand the proceedings and assist in their defense. With attentive and consistent mental health treatment at a local therapeutic facility, we may see more individuals restored to competency well before they could obtain admission to Western State Hospital (WSH). Of course, some individuals will never be restored, or may require involuntary medication. What I proposed could not take the place of the process required in RCW 10.77.086, but might result in individuals being diverted from WSH, in that they could undergo a second competency evaluation after local treatment and be found competent.

I hope this helps. I am really just trying to think out of the box, as the delays for competency restoration services are inhumane and illegal.

Thank you - Maia

-----Original Message-----

From: Cathy Halka
Sent: Tuesday, September 13, 2022 8:52 AM
To: Maialisa Vanyo
Cc: Barry Buchanan
Subject: FW: Question

Good morning, Maialisa,

Please see the question below from SAC Member Peter Frazier. Please reply to me and I will share your response with Peter and all the SAC Members.

Thanks,

Cathy

-----Original Message-----

From: Peter Frazier
Sent: Sunday, September 11, 2022 8:59 AM
To: Cathy Halka
Subject: Question

Hi Maia

I was a little confused by something you said in our last meeting, but it sounds so intriguing I want to be sure I understand. You seemed to be saying that there may be competency restoration possible outside the state system. Perhaps something we could do locally, in the jail, not officially the competency restoration process, but could have the same result.

Thanks for clarifying.

Peter

Sent from my iPhone