

WASHINGTON COURT OF APPEALS, DIVISION ONE

In the Matter of the Personal Restraint of M.T.M.L., consolidated
with In the Matter of the Personal Restraint of R.A.

Nos. 86707-5-I and 86715-6-I · No. Nos. 86707-5-I and 86715-6-I · Decided December 1, 2025

SUMMARY

In this consolidated published opinion, the Washington Court of Appeals, Division One, reviews personal restraint petitions challenging conditions at Green Hill School, a juvenile rehabilitation facility operated by the Department of Children, Youth, and Families. The court holds that the conditions described did not violate the Washington or United States Constitutions, but concludes that the facility violated Washington law and must remedy the conditions immediately. The opinion also addresses mootness, the continuing-and-substantial-public-interest exception, and an amicus motion.

CASE DETAILS

COURT	Washington Court of Appeals, Division One
WRITING FOR THE COURT	Smith, J.
JURISDICTION	Washington Court of Appeals, Division One
DECIDED	December 1, 2025
DOCKET	Nos. 86707-5-I and 86715-6-I
DISPOSITION	other
PROCEDURAL POSTURE	Consolidated personal restraint petitions challenging conditions of confinement at Green Hill School. The court denied dismissal of R.A.'s petition as moot under the continuing-and-substantial-public-interest exception, granted both petitions in part as to violations of Washington law, denied relief as to constitutional claims, and ordered the Department of Children, Youth, and Families to remedy the conditions.
STANDARD OF REVIEW	A personal restraint petitioner must establish the factual basis for the claim with sufficient supporting evidence. For constitutional claims, the petitioner ordinarily must show a constitutional error and actual and substantial prejudice, unless the claim is one for which there was no previous opportunity for judicial review. The court grants appropriate relief when the restraint is unlawful under RAP 16.4.
PRECEDENTIAL VALUE	published

PARTIES

M.T.M.L., R.A. v. Washington State Department of Children, Youth, and Families

TOPICS

state post-conviction relief cruel and unusual punishment due process mootness appellate procedure

PRACTICE AREAS

post-conviction relief juvenile law constitutional law civil rights appellate procedure

QUESTIONS PRESENTED

1. Whether R.A.'s personal restraint petition was moot and, if so, whether the court should review it under the continuing-and-substantial-public-interest exception.
2. Whether the conditions of petitioners' confinement violated article I, section 14 of the Washington Constitution's prohibition against cruel punishment.
3. Whether the conditions of petitioners' confinement violated the Fourteenth Amendment's Due Process Clause.
4. Whether the conditions at Green Hill violated Washington's statutory restrictions governing juvenile room confinement and required access to toilets, sinks, and showers.
5. Whether immediate release was an appropriate remedy for the violations.

HOLDINGS

1. R.A.'s petition was moot because, after his transfer from Green Hill, the court could no longer provide effective relief, but the court retained review because the petition presented issues of continuing and substantial public interest likely to recur.
2. The conditions of petitioners' confinement did not violate article I, section 14 of the Washington Constitution or the Fourteenth Amendment's Due Process Clause.
3. DCYF violated Washington law by subjecting petitioners to room confinement beyond statutory limits and failing to provide required restroom and shower access; DCYF was required to remedy the conditions at Green Hill immediately.

KEY QUOTATIONS

“But, even when a petition is moot, this court may accept review if the petition presents an issue of continuing and substantial public interest.” (at 9)

“To prevail on a PRP challenging conditions of confinement, the petitioner must show “(1) those conditions create an objectively significant risk of serious harm or otherwise deprive the petitioner of the basic necessities of human dignity and (2) those conditions are not reasonably necessary to accomplish any legitimate penological goal.”” (at 12)

“DCYF cannot implement policies limiting the residents’ access to programming and claim it is because of safety and security concerns when it is DCYF’s own inability to resolve the issues of overpopulation and understaffing that gave rise to those concerns.” (at 17)

“Juveniles in room confinement, including Petitioners, must have hourly access to the restroom and daily access to a shower, and be in room confinement no more than 4 hours in any 24-hour period, unless specific requirements are met.” (at 19)

FACTUAL BACKGROUND

Green Hill School experienced a substantial population increase and significant staffing shortages, which led to split programming and institution-wide or unit lockdowns known as Code Sevens. M.T.M.L. and R.A. were housed in a dry unit without toilets or sinks and were frequently confined to their rooms for extended periods, sometimes waiting hours for restroom access and receiving plastic urine bottles. M.T.M.L. reported being forced to defecate in a bag after waiting approximately two hours for restroom access, and the facility acknowledged staffing-related failures involving room confinement, restroom access, and daily showers.

PROCEDURAL HISTORY

M.T.M.L. and R.A. filed personal restraint petitions alleging that conditions at the Department of Children, Youth, and Families' Green Hill School violated the federal and Washington Constitutions and Washington statutes. R.A. was transferred to another facility, making his petition moot, but the court retained review because the issues were of continuing and substantial public interest. M.T.M.L. was later returned to Green Hill, and the court issued a substitute published opinion after granting reconsideration in part and withdrawing its earlier opinion.

DISPOSITION

other

REMAND INSTRUCTIONS

DCYF must immediately remedy the conditions at Green Hill and comply with Washington law, including the statutory limits and access requirements governing juvenile room confinement. The court denied immediate release and denied constitutional relief.

CASES CITED

- In re Det. of M.K., 168 Wn. App. 621, 625, 279 P.3d 897 (2012)
- In re Marriage of Horner, 151 Wn.2d 884, 891-92, 93 P.3d 124 (2004)
- Westerman v. Cary, 125 Wn.2d 277, 286-87, 892 P.2d 1067 (1995)
- In re Pers. Restraint of Rice, 118 Wn.2d 876, 886, 828 P.2d 1086 (1992)
- In re Pers. Restraint of Williams, 198 Wn.2d 342, 353, 361, 363, 365-70, 496 P.3d 289 (2021)
- In re Pers. Restraint of Gentry, 170 Wn.2d 711, 714, 245 P.3d 766 (2010)
- Woods v. Burton, 8 Wn. App. 13, 16-17, 503 P.2d 1079 (1972)

- State v. Moretti, 193 Wn.2d 809, 826, 446 P.3d 609 (2019)
- State v. J.H., 96 Wn. App. 167, 172, 978 P.2d 1121 (1999)
- Bell v. Wolfish, 441 U.S. 520, 539, 547, 99 S. Ct. 1861, 60 L. Ed. 2d 447 (1979)
- Gary H. v. Hegstrom, 831 F.2d 1430, 1432 (9th Cir. 1987)
- Youngberg v. Romeo ex rel. Romeo, 457 U.S. 307, 319, 102 S. Ct. 2452, 73 L. Ed. 2d 28 (1982)
- State v. S.H., 75 Wn. App. 1, 19, 877 P.2d 205 (1994)
- State v. Sledge, 83 Wn. App. 639, 922 P.2d 832 (1996)
- In re Det. of Campbell, 139 Wn.2d 341, 349-50, 986 P.2d 771 (1999)

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