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BREAKING NEWS — Mental-health evaluation ordered for accused double-murderer Michael Pierce

By Joe Smillie

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PORT TOWNSEND — Kitsap County Superior Court Judge Sally Olsen has ordered a mental health evaluation to determine if accused double-murderer Michael J. Pierce is competent to face charges of killing Pat and Janice Yarr of Quilcene in 2009.

Olsen's order was filed in Jefferson County Superior Court on Friday afternoon.

Pierce, 38, Quilcene, is being retried for allegedly murdering the Yarrs and setting their house on fire to cover up the crime in Kitsap County after the state Court of Appeals overturned a 2010 conviction and the first attempt at a retrial in Jefferson County last summer was stopped four days in.

Doctors from Western State Hospital will examine Pierce in Kitsap County jail on Monday, with Dr. Ken Muscatel allowed to observe the evaluation, to determine if he is mentally fit to stand trial, according to Olson's order.

Specifically, Judge Olsen's order directed evaluators to determine if Pierce understood what happened in his trial last Monday, March 10, and whether he was able to assist in his defense that day.

If not, Olsen ordered evaluators to determine if Pierce could regain that capacity with some sort of medical treatment.

A hearing to review Pierce's status has been set for Kitsap County Superior Court next Friday, March 21, at 1:30 p.m.

The trial is slated to resume at 9 a.m. the following Monday, March 24.

It was revealed during a hearing in the Port Orchard courthouse Monday that Kitsap County jailors had stopped giving Pierce his prescription medication, according to Pierce's defense attorney, Richard Davies of Port Townsend.

He was uncertain why they stopped delivering Pierce's medication.

"There's two possibilities: one is a terrible conspiracy, the other is a mistake," Davies said.

Chris Ashcraft, the Jefferson County deputy prosecutor leading the state's case, declined comment Friday.

Olsen ordered the court closed for a hearing to address his medical condition.

Pierce is charged with both slayings with firearm enhancements on each charge, as well as first-degree robbery and burglary, theft of a firearm, unlawful possession of a firearm and second-degree theft of an access device.

He was serving a life sentence in the state penitentiary in Walla Walla, until the appellate court ordered a new trial.

The appellate court ruled the statements Pierce initially made to investigators could not be used against him because his request for an attorney after his arrest was not honored.

The appellate court also ruled that Jefferson County Prosecuting Attorney Scott Rosekrans, who was then chief criminal deputy prosecuting attorney, made "inappropriate" statements during Pierce's trial.

The retrial was moved to Kitsap County after a first retrial in Jefferson County was halted when a juror, Laura Meynberg of Port Townsend, remembered someone — possibly Pierce — walking along the side of U.S. Highway 101 one evening, though she could not recall the exact date.

The court has not let the Kitsap jury know that Pierce has faced these charges before.

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