

# THE SUPREME COURT OF WASHINGTON

In re the Personal Restraint Petition of	)	No. 99344-1
	)	
	)	<b>ORDER</b>
ROBERT RUFUS WILLIAMS,	)	
	)	Court of Appeals
	)	No. 54629-9-II
Petitioner.	)	
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On March 11, 2021, the Court heard oral argument on this case. After consideration of the arguments of counsel and the briefing of the parties and amicus, the Court determined by majority to enter the following order.

The personal restraint petition filed by the Petitioner, Robert R. Williams, alleges that the conditions of his current confinement in prison constitute cruel punishment. The Court finds that Article I, Section 14, of the Washington State Constitution provides more protection than the 8<sup>th</sup> Amendment to the United States Constitution and under that provision, the current conditions of the confinement of Petitioner Williams at the Department of Corrections prison is cruel. The Court specifically finds that confining Petitioner Williams in a space that does not include reasonable access to a bathroom and running water, and failing to provide him appropriate assistance in light of his physical disabilities, is cruel. Therefore, the personal restraint petition is granted and the Department of Corrections is directed to immediately remedy the cruel conditions. If the conditions cannot be remedied, either in the prison or in an alternative placement such as home detention, then the Department is ordered to immediately release

Petitioner Williams from confinement. The Department is also ordered to report back to the Court regarding its compliance with this order on or before March 25, 2021. Petitioner Williams may file his own report at his discretion.

An opinion explaining the Court's decision will be filed at a later time.

DATED at Olympia, Washington this 12<sup>th</sup> day of March, 2021.

For the Court

  
CHIEF JUSTICE