

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THE GEO GROUP, INC.,

Plaintiff,

v.

ROBERT W. FERGUSON, in his official
capacity as Governor of the State of
Washington; NICHOLAS W. BROWN, in
his official capacity as Attorney General of
the State of Washington,

Defendants.

NO. 3:23-cv-05626-BHS

DECLARATION OF CASSIE
SAUER IN SUPPORT OF
DEFENDANTS' MOTION FOR
PRELIMINARY INJUNCTION

I, CASSIE SAUER, hereby declare the following:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I serve as the President and Chief Executive Officer of the Washington State Hospital Association (WSHA). I have served in this role for 10 years. I have been in a leadership role at WSHA for 25 years. I have worked in the field of health care policy and access to health care in Washington State for over 30 years. I have a Master's Degree in Social Work and Public Policy.

3. WSHA is an association with membership of all 114 hospitals in Washington State. Because WSHA serves all hospitals, we are able to see community-wide impacts of health care policy decisions and resulting health care system trends. Many decisions made by

1 others outside the hospital field have a direct impact on public health, communicable disease,
2 and access to hospital care for all Washingtonians. WSHA therefore regularly comments on
3 and provides expertise on issues of disease prevention and health access in the broader
4 community.

5 4. WSHA has a particular focus on the safety and quality of patient care, has
6 performed work as a federal and state contractor on care and safety improvement efforts, and
7 has received national recognition for its work. WSHA has been instrumental in reducing
8 deaths from sepsis, reducing premature baby deliveries, improving access to vaccines,
9 reducing pneumonia, and improving access to care earlier in the course of an illness.
10 Preventing illness and keeping people safe within congregate facilities such as hospitals and
11 skilled nursing facilities are areas of expertise of the state hospital association.

12 5. Staff at Washington hospitals have extensive medical training, expertise in
13 infectious disease control, and long experience providing high-quality care. Even with this
14 significant professional background of their staff, Washington State hospitals are regularly
15 surveyed, inspected and/or investigated by the Washington State Department of Health for
16 issues relating to safety and quality of facilities, patients and the care they receive. In the
17 course of these surveys, the DOH regularly provides expert advice about improving the safety
18 of the hospital setting and of the care provided within hospitals.

19 6. WSHA and its members have confidence in our state Department of Health, its
20 expertise in facilities inspections, and believe the assistance they provide to the safety of
21 congregate care facilities, including hospitals, is essential to protect the health of the public.
22 We believe strongly that facilities providing health care, residential care, psychiatric care,
23 detention, or incarceration must be inspected regularly and thoroughly for the protection of
24 those in care as well as the broader community.

25 7. WSHA gained particular expertise during the COVID-19 pandemic about
26 congregate and crowded settings. The first cases of COVID-19 in America were diagnosed

1 in a congregate care senior facility in our state. We quickly learned about the community
2 health perils of congregate care settings. We also learned that special focus on disease
3 prevention and excellent health care access in congregate settings is essential. We consulted
4 regularly with multiple types of congregate care settings, including behavioral health
5 hospitals and residential treatment facilities, about how to stop the spread of infectious disease
6 and protect people being served and the staff serving them. Public health, disease prevention,
7 and access to care issues in congregate care settings are material to all Washingtonians,
8 including those who do not reside in congregate care settings because of the potential impact
9 on the broader community.

10 8. Detention centers are congregate care centers. They house many people from
11 different communities in a single location. Detention centers are often more crowded than
12 other types of congregate care settings and therefore bring higher health risks.

13 9. All congregate care settings by their nature create high risk for the spread of
14 infectious disease. As an example, Washington State and the nation are currently experiencing
15 a rise in measles cases. Measles is highly contagious and a serious illness. If a detainee has
16 or develops measles in the detention center, the impacts could be widespread for detainees,
17 staff, and the broader community as measles will undoubtedly spread and reach the
18 community. The Department of Health brings its public health expertise to its inspections to
19 prevent or stop the spread of infectious disease.

20 10. WSHA also has concerns about policies of detention centers that restrict or delay
21 access to health care, resulting in worsening health conditions. Delaying needed care almost
22 always results in conditions that are more challenging to treat and more likely to require
23 emergency services or inpatient hospitalization. Delayed care is more complicated and
24 resource-intensive care. When patients come to the hospital later than they should have, it not
25 only has a negative effect on the patient's immediate and long-term health status but also
26 stresses the health care system. It is mentally and physically challenging for providers to take

1 care of patients who have not gotten the care they need. Patients in more serious conditions
2 can also delay care for other patients in emergency rooms because these more complex cases
3 must be seen first, affecting all people in the community.

4 11. Washington State's hospitals are almost always full. Washington has one of the
5 lowest numbers of inpatient hospital beds per capita in the nation.ⁱ Any institution that serves
6 many people and routinely delays access to or provision of care, leading to a need for hospital
7 care, will only contribute to this crisis.

8 12. Mental health concerns are also prevalent in detention centers. The uncertainty
9 and stress of detention can lead to depression, anxiety, self-harm and potential suicide.
10 Washington hospitals are already struggling to deal with demand for mental health care.ⁱⁱ
11 Delaying access to mental health care for detainees who may then need hospital-level care
12 will worsen this issue.

13 13. Chronic disease management issues are also a major concern in detention
14 facilities. Detainees who live with diabetes, asthma, cancer or hypertension may not receive
15 consistent medication, monitoring, or appropriate diets. These interruptions in care will lead
16 to complications and could lead to irreparable harm if people experience strokes, cardiac
17 arrest, asthma attacks, worsening cancers, kidney failure, or many other issues. In addition,
18 regular care for people with chronic disease keeps them out of the hospital; delaying or
19 denying regular care puts further pressure on Washington's hospitals.

20 14. Detainees' inadequate or delayed access to care impacts not only the detainee but
21 it also impacts access to care for other Washingtonians. As hospitals fill and emergency rooms
22 are stretched, all of us will experience the impact. This has the potential to lead to irreparable
23 harm for many in Washington, not only the detainees, as health care facilities are challenged
24 to serve the many patients in our state who need care.

1 I declare under the penalty of perjury under the laws of the United States that the
2 foregoing is true and correct.

3 SIGNED this 7th day of May 2026, at Seattle, Washington.

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5 CASSIE SAUER
6 CEO, Washington State Hospital Association
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8 ⁱ <https://mynorthwest.com/local/wash-hospitals-capacity-crisis-worst-state-country/3932619>

9 ⁱⁱ <https://challengesattle.com/emergency-rooms-at-the-epicenter>
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