

## Faulk, Camilla

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**From:** Cloretta James (ACA) [Cloretta.James@acapd.org]  
**Sent:** Thursday, April 28, 2011 12:11 PM  
**To:** Faulk, Camilla  
**Subject:** proposed rule 4.11

I am writing in favor of proposed CrR4.11 changes to allow recording of witness interviews. Witness statements/interviews prior to trial is imperative to effective representation of a client. Many times, especially in DV cases, alleged victims change their stories several times prior to court and/or give statements to convict without details. Other times officers refuse to be recorded and testimonies are different than reported prior to trial. In these cases, without a recording, investigators are required to testify as to what occurred during the interview. Recordings could alleviate and/or control this problem. In fact, this increases the cost of representation and may lead to confusion as Jurors must decide based on credibility rather than objective facts, as would be recorded with this rule. In the truth seeking process, the integrity of the parties recalling the events is clearly extremely important. Courts should allow recordings of interviews prior to trial as honesty and integrity are encouraged in the Courtroom, tapes provide accurate, reliable proof of words being asserted. There is all kinds of pressure on witnesses to recall and testify to the truth from both prosecution and defense advocates. However, the bottom line is the process to ensure that Jurors/Judges reach a fair and just conclusion where no innocent man is convicted. The rule would be a gallant effort to promote the intended purpose of the constitution: Justice for all.

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